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THE LIBRARY  
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LOS ANGELES

INFANT MARRIAGE  
AND  
ENFORCED WIDOWHOOD  
IN INDIA,

BEING A COLLECTION OF OPINIONS, FOR AND AGAINST,  
RECEIVED BY MR. BEHRAMJI M. MALABARI,  
FROM REPRESENTATIVE HINDU GENTLEMEN  
AND OFFICIAL AND OTHER AUTHORITIES.

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RL To

THEIR ROYAL HIGHNESSES

THE DUKE AND DUCHESS OF CONNAUGHT.

MAY IT PLEASE YOUR ROYAL HIGHNESSES,

I cannot think of a more appropriate presentation for such a volume than to the son and daughter of Her Most Gracious Majesty the Queen-Empress, whose interest in the progress of Indian women Your Royal Highnesses have so admirably exemplified in person.

God speed you on your voyage home and back to the land of your adoption, and in submitting to the Queen-Mother the loyal and loving congratulations, on the Jubilee Day, of our sisters and fellow-subjects in India

I remain,

Your Royal Highness's faithful Servant,

BEHRAMJI M. MALABARI.

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25, HORNBY ROAD,

BOMBAY, 15th August, 1884.

Dear Sir,

I beg to submit for your consideration my *Notes on Infant Marriage and Enforced Widowhood in India*.

There cannot be two opinions as to the existence of the evils and their disastrous effects. The question is how best to mitigate these, without calling in the aid of direct legislation and without offending the susceptibilities of the orthodox.

I have ventured to make a few suggestions in these papers, and trust that, in your turn, you will not fail to advance the cause by giving me the benefit of your practical experience. I submitted these *Notes* some time ago to prominent members of the Government of India, and am much encouraged by their sympathy and their readiness to do everything in their power, on proper representation, consistently with the declared policy of the British Government in this country.

I have no right to count upon your entire approval of these views—all that I hope for is that you will not set them aside as impracticable or unworthy of consideration.

Yours respectfully,

BEHRAMJI M. MALABARI.

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Submitted for consideration.

No. I.

## INFANT MARRIAGE IN INDIA.

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The British Government put down Infanticide by law. That was a great gain to society, apart from higher considerations. But we find Infant Marriage in practice a more serious evil than Infanticide. For, whereas the latter was one short struggle, in which the victim was almost unconscious, an ill-sorted infant marriage entails lifelong misery on either or both parties. Infant marriage is the cause of many of our social grievances, including enforced widowhood. The argument, that such an arrangement forbids the exercise of free will on the part of those most concerned, may not commend itself readily to all practical reformers. For, parental control is necessary and mostly beneficial even when the parties have come to years of discretion. Absence of choice, therefore, is not my only complaint. But the area of selection is so narrow where society is split up into numerous castes and sub-castes, that practically Hindu parents have to make Hobson's choice of it : to accept the first boy or girl available or to buy one who comes the cheapest, all things considered. There may be physical defect or moral taint on one side or the other. But so long as this, and no other match, is to be secured, why, it must be secured at all risks. What wonder, then, if many of these forced unions turn out unhappy ? The physical defect may increase with age, the moral taint may grow into a malady. The wife may outgrow the husband, or "the husband may become fit for the grave when the wife becomes fit for his home." There may be total or partial absence of physical adaptability or hopeless disparity of temperament. In any of these events the "married martyrs," as they have been aptly described, are socially alienated from each other, though perhaps living under the same roof. These are some of the many dread contingencies.

But let us take the union to turn out happy, as it no doubt turns out in a large number of cases. What follows ? A too early consummation of the nuptial troth, the breaking down of constitutions and the ushering in of disease. The giving up of studies on the part of the boy-husband, the birth of sickly children, the necessity of feeding too many mouths, poverty and dependence ; a disorganised household leading perhaps to sin. In short, it comes to a wreck of two lives, grown old almost in youth, which might, in favourable circumstances, have attained to happy and respected age. That this is not an overcharged picture will be admitted by those who have even a superficial acquaintance with the domestic affairs of our people. Last of all comes Death to the relief of



the husband or the wife. If the former, it adds one more widow to the forty million and odd, and two or three orphans to the fraternity of unprotected infants. Here we are confronted with that grave economic problem—over-population in poverty. If over-population is felt as an evil in advanced and wealthy countries, where natural and artificial means exist to hold it in check, what must be the effect of over-population in a poor and backward country, where the evil is actively stimulated by unnatural means? Can the State take no cognisance of this economic phase of the evil?—apart from the social aspect with which a foreign Government may well hesitate to meddle.

We are often told by benevolent Let-Alone-ists that the only remedy possible is to educate public opinion on the subject and then to set this educated public opinion to cope with the evil in operation. This is no doubt a very sound doctrine. But where such a very small portion of the population of India have received elementary education after so many years, the chances of bringing educated public opinion as a force to bear upon the question are extremely slender. The higher classes of Hindus, the more educated amongst them, feel the necessity of discountenancing child marriage; and most of these would undoubtedly act up to their convictions if they only could. But caste is too powerful even for men in that position. Where the girl's parents are enlightened, the boy's may be the reverse; and as that is the only eligible boy *in the caste*, the former are obliged to sue for terms. Amongst the illiterate mass early marriage obtains most widely, and amongst them, least able to bear the strain, the consequences of such marriage are most far-reaching. They tell disastrously on the physical and social well-being of not only the contracting parties, but even their children and their children's children. We occasionally hear of a debt incurred by a man towards the marriage expenses of his youngest son having to be repaid by his grandson or great-grandson.

I have never heard an argument in favour of infant marriage as a national institution, except that it is enjoined by the Shastras. But so far as I have been able to see, no Shastra enforces marriage proper on a girl under 12 years of age, when presumably the boy must be between 15 and 20. So much as to the social or so-called religious aspect of the practice. In India every custom that is unintelligible, or actually indefensible, becomes a religious question, the merits of which we are not supposed to appreciate in this *Kali-yuga*. But taking infant marriage as a purely economic question, as a source of over-population and consequent disturbances, can the State do nothing to check it? I would not propose a legal ban to be placed upon it. But an enlightened Government might well show its disapproval of the practice indirectly. To begin with, the Educational authorities might rule that due notice being given, no married student shall be eligible to go up for University examinations, say five years hence. This would be some check. Several other departments of the State might also devise similar means to discourage this pernicious custom of modern India. I have little doubt that some such expedient would be welcomed by leaders of Native Society in all parts. An enlightened Hindu friend writes to me from Bengal cordially approving the proposal.

Our educated young men can do a great deal to strengthen the hands of authority in this direction. An excellent suggestion was made only the other day, that University graduates and others should form themselves into an Association and take a pledge not to marry under a certain age. To which another suggestion, equally good, has been added as a rider, namely, that no educated man should marry a girl too much under his age. This would be a fair beginning for the educated class.

It appears to me that the State has a right to insist upon having the best available servant, if not the best available citizen. If so, the head of a department may prefer the unmarried candidate to the married, all other qualifications being equal. I am not blind to the risk to which this proposal is open; but the advantages far outweigh every possible inconvenience. Then, again, the Educational Department may give a few chapters in its School Books, describing the evil in its various forms. The State may offer indirect inducements to students remaining unmarried up to a certain age. There are ways in which the Executive can do a great deal towards the mitigation of social martyrdom, without invoking the aid of the Legislature. Let the officer evince personal interest in the matter, keeping his official position in the background. It is such friendly sympathy, in my opinion, more than anything else, to which we owe what little progress we have made socially during the last fifty years, especially in the matter of female education.

And I suspect that something very like gentle moral pressure had to be exercised by friendly officials when Girls' Schools were first opened in the mofussil and pupils were hard to find. Parents would not allow their daughters to be out of sight for a few hours every day. But the thing had to be done, and we have now a Girls' School in almost every large village. Shut up these schools to-day, and I dare say the villagers will make a grievance of it.

The most obnoxious amongst early marriages (which are often unequal in point of age) are: 1, the marriage of an infant girl with an old man—the object generally being for the bride's father or relatives to secure money from the bridegroom. This is much the same as selling the child, selling her into slavery and worse. Now the State may not directly interfere with the transaction. But indirectly, I think, it can aim a deadly blow at the practice itself. For instance, by ruling that the money received from the bridegroom, the price of the girl disposed of, is not to belong to the seller, the parent or relative of the victim, but to be safely deposited in her name and for her exclusive use. Some such ruling will discourage marriages of the kind. And where the marriage does take place the money paid by the bridegroom, the cost of the bride's sacrifice, will be a comfort to her in widowhood. For, in all human probability the girl must become a widow, in which case she has at present to be solely dependent on her male relatives. This suggestion was made to an English friend by a competent Hindu authority at Madras about a year ago.

2. Another objectionable form of marriage, so called, is—a girl of 12 to 15 married to a boy of 8 to 10. When we know that the marriage is brought about by the father or the elder brother of the boy, who (the father or elder brother) is a widower, we may guess the object. It is a criminal arrangement, leading to sin all round, and to much suffering for the unfortunate girl who must in name remain the wife of the boy. When the boy-husband realises his position, he may murder the wife, the father or the brother. For proof positive the reader may search the records of a Magistrate's Court here and there: of presumptive evidence there is no lack. The evil is limited in area; but it is none the less a horrible thing. How long will Society and the State put up with it?

### ENFORCED WIDOWHOOD.

I may begin this Note by saying that personally I do not approve of Remarriage in either sex, under ordinary circumstances. Nor do I endorse the vulgar prejudice that the Hindu widow is necessarily a social danger and must therefore be remarried by force. As a matter of fact the Hinduani is, by blood and tradition, an excellent type of womanhood in all relations of life. But in modern India woman seems to have become, as if by common consent, the inferior of man as a social unit. She is married in infancy. In case of early death of the husband she has perpetual widowhood before her, even though still an infant. Her life is a social failure. In most things she is at the mercy of others, because the average Hindu widow is not able to appreciate and protect her rights as a member of society. To many it is a wonder that the world hears so little of the results of such social inequality. I believe this is so because woman is the sufferer. It is not in her nature to publish her wrongs, however great. A Hindu woman complains little. But that little, in the present case, is too much for those who know. The widows of Gujarat and of Maharashtra, of Bengal and North-West, of Punjaub and Madras, have often set forth their grievances, in prose and verse, in odes and elegies, in piteous appeals and memorials to the Collector of the district, to their Mother-Queen, and to their gods and goddesses without number. To be sure there are thousands of young Hindu widows leading pure, if not happy, lives. We hear of a case now and again in which the widow is the guardian angel of the house and the street; who, having lost the sharer of her joys and sorrows while yet a girl, consecrates her womanhood exclusively to works of charity, cherishing the hope of union in a better world. But if there are thousands of such saintly beings in Hindustan, there must be millions of simple misguided creatures, exposed to all sorts of trials and temptations, whose lives are a curse to themselves and, in some instances, a standing menace to society.

Hindu parents deplore no misfortune so much as they deplore the widowhood of a young daughter. But it is a common misfortune. And its consequences are generally so inevitable, that exposure is a rare occurrence. When every village almost may be



covering its shame, or may be in daily dread of having to do so, connivance is the only hope of the community. Direct evidence being nearly impossible in a suspected case, the policeman finds free scope for the exercise of mercy or cupidity. Yet, how many cases of infanticide do we hear of every month? And these are only exceptional cases that come to be known. The unknown ones may be twenty times more. There is a regular system of freemasonry maintained for the purpose—the removal of the widow in trouble on visits to distant relations or on pilgrimage—which baffles detection. When all attempts fail, the mother's health is ruined for life, or she dies with the babe unborn.

It is sometimes urged that enforced widowhood must be accepted as a necessary evil. If so, the question arises—is Hindu Society reconciled to the evil? No; Society is and has long been in revolt against this inhuman custom. Educated young men, and many of the orthodox old, are anxious to be saved from its demoralising effect, if for no higher purpose, at least for their own interest. Why don't they, then, shake off the evil? Because the Hindu is hard to move. Caste exercises overpowering influence. Caste is more potent in its secret persecution than was the Inquisition of Spain. Not only are the offending couple excommunicated, but their relations and friends too may become outcasts henceforth and for ever (unless they can afford to buy readmission) in life and in death. They are shunned like a moral plague. No European can have an idea of the operation of this dread award: it is more bitter than the bitterness of death.

Such are the results virtually of the abolition of Suttee by the British Government. Had Mountstuart Elphinstone and Lord William Bentinck anticipated them, they would have paused before enforcing the law without its legitimate corollary. For, whereas Suttee was one single act of martyrdom or heroism, as the victim conceived it, and an act of religious merit popularly believed, the life which caste imposes on an unwilling widow is a perpetual agony, a burning to death by slow fire, without any chastening or elevating effect on the sufferer or any moral advantage to the community at large by way of compensation.

Now, my contention is, has caste the power to punish an act which the State recognises as legal and natural, and for which, in fact, the State has presumably rescued the widow from the flames? The plea as to re-marriage of all widows being forbidden by the Shastras has long been known to be untenable. The only rational objection that is urged against remarriage is based on the theory of over-population. But all remarried couples do not necessarily transgress the laws of population. Caste has no objection to the widower marrying again, as often as he likes, and more women than one at a time if he so wishes. Its cold-blooded philosophy is reserved only for the woman who has lost her husband, that is her all in life. Here, then, is a conflict between State and Caste. Who is stronger?

It has often been asked—why does not the remarried widow or her friend seek the protection of the Law against her persecutor? My answer is a simple question—why at all do you allow the oppressor to oppress the weak and the innocent? Government save the widow from compulsory immolation. Henceforth the widow becomes a ward of the State, and has the power, if she have the will, to enter into another honourable contract. And yet, caste condemns her to an unnatural, if not an ignoble course of life, may be for its own purposes, and tramples upon her finer instincts. Why should caste be allowed to do this?

We are again told that the custom has a purely religious bearing. No such thing. It is more a freak of the priestly class and of a set of social monopolists. At any rate, this is what it has come to. And how many bad customs and usages have already been put down which were all alleged to have had their origin in religion? Suttee, infanticide, the rolling of the Juggernaut Car: the suppression of these raised a howl of indignation at the time. Government were threatened with mutinies and rebellions. What became of those hostile national demonstrations? By all means, let us respect and preserve all that is good in a custom. But the British Government belie their cherished traditions in putting up with what is harmful simply because it is sanctioned by that custom.

Now, I am not one of those who are for violent interference by the State or for abrupt reforms from amongst the people themselves. We must move with the times, carrying the people with us. And I say that in this matter the people are ready to go a step

*further.* Our progress, since the abolition of Suttée, has not been quite perceptible. But still I hold that a move forward has been maintained all along the line. There have been a number of remarriages in Bengal, Madras, Bombay, and elsewhere, in spite of the stringent prohibition of caste. But this progress has been far too slow. And there are so many obstacles in the way, that those who have watched the movement closely apprehend a re-action if the people are left much longer to struggle on by themselves. Kar-sandas Mulji, our foremost social reformer on this side, died broken-hearted under implacable persecution. Happily we have Societies and Associations working in aid of this particular reform. The widow's cause has enlisted the sympathy of notable men, official and non-official, European and Native, who think it cruel to take full cognisance of the errors and irregularities incidental to enforced widowhood. All that now seems to be needed is the interposition of authority to a small extent. Let Government rule:—

- (I.) That no Hindu girl, who has lost her husband or her betrothed, if she is a minor, shall be condemned to life-long widowhood against her will.

Here I need not be reminded of Act XV. of 1856. It is a fairly adequate provision in itself. But what has it done for the re-married widow and her friends in the course of the last 28 years? Practically it has remained a dead letter. I ask for little more than that the existing provision be made known to the victims and enforced in their favour by all possible means. That the secret opposition of caste be met by some indirect encouragement to them from the Government. Show your dissatisfaction at the prevailing state of affairs and your anxiety to do something on proper representations being made. At present there is a struggle between caste and the code. It is an unseemly encounter. The practical impunity—the feeling that Government cannot and will not interfere—encourages the aggressors quite as much as it discourages the aggrieved seeking redress from the tyranny of caste.

- (II.) That arrangements may be made, in suspected cases, to ascertain whether a widow has adopted perpetual seclusion voluntarily or whether it has been forced upon her.
- (III.) That every widow, of whatever age, shall have the right to complain to the authorities of social ill-usage (over and above excommunication), and that proper facilities shall be afforded her for the purpose, such as the gratuitous service of counsel, exemption from stamp duty, attendance at Court, and so on.
- (IV.) That the priest has no right to excommunicate the relations and connections of the parties contracting second marriage, besides excommunicating the principals.

Unless some such protective measures are adopted in time, I repeat there is fear of re-action at least on this side of the country. What little progress has been achieved after thirty years of arduous struggles may be washed away by one wave of the returning tide of fanaticism. If Government fail, as guardians of the unprotected, to rescue the widow from this terrible thralldom, they will, in no small degree, be responsible to the Supreme Authority above and to the civilised world for the results of a vile custom in working.

For, there is scarcely a village in India, scarcely a hamlet, whose shrine is not desecrated by murder; where the blood of the innocent does not pollute the sanctuary of its God. Emancipate the woman of India, ye English rulers! Restore to the widow her birth-right of which she is robbed by usurpers who owe no allegiance to God or to man. Give her back the exercise of free will. Is it meet that in the reign of the most womanly Queen the women of India should remain at the mercy of a foul superstition? Raise the status of our women, and in time England shall be furnished with a Volunteer Corps a million strong. Win the blessings of India's women,—the most grateful amongst a grateful nation. You are following in the steps of your predecessors. Then complete the reform inaugurated by them, carry it to its logical conclusion. Declare that the widow, being the State's adopted daughter, shall not be wronged by caste, and that even if custom allows the wrong to be perpetrated, the victim shall be avenged by law.

But I am afraid what I ask in the last paragraph is a question of time. Government may not at present go beyond the four suggestions made above. Nor would it be advisable to press the authorities. I believe an advance would have been made before now by

the people themselves but for certain conditions which have always operated adversely on the progress of the Native community. In the first place, it is a mistake to trust entirely to the educated agency. Education by itself has failed to secure influence in the country. Our educated young men want position. They are no match for the priestly class, who are, in a sense, better educated. Nor are the orthodox Pandits so devoid of sympathy as young reformers seem to fear. Be that as it may, it is a fact that the mass of the people look up to the Pandits and Shastris as their guides. The priest is a friend of the caste, the custodian of its honour and integrity. He directs the affairs of many a household, and is instrumental in maintaining the patriarchal relations between old and young, rich and poor. The priest is an institution whom the poor man worships, and the rich man thinks it a privilege to bow to his teachings. Besides, so long has this priestly class been on the defensive against attacks from within and without, that organisation—that is the power to work together—has become the law of their very existence. Has the average educated man, the young reformer, any two of these advantages to offer for our purpose? Modern education has made him impatient and offensive. He has no hold on the popular mind. Not only have his orthodox neighbours no confidence in the educated young reformer, but they look upon his doctrines with positive distrust. Then, again, in many cases his acts fall short of his words. Last of all, the educated class lacks the means for organisation—the different elements are generally so incohesive. I hope and believe that these are only temporary difficulties. But there they are, and one is obliged to recognise them as seriously interfering with the usefulness of the educated class in matters social.

If an earnest reformer, therefore, wishes to carry the mass with him, he finds the support and co-operation of the priest indispensable. And such support he may not seek in vain. The priest is not so bigoted as to deprecate social progress. But he is rather shy of outside light and wants gentle handling. The reformer must go to him as a friend, and perhaps as a suppliant.

At this stage I would propose the establishment of a national Association for social reform, with the existing Societies as branches, and get most of the prominent members of Government to join as sympathisers, from the Viceroy and the Governors downwards. I am not without hope that our cause would interest them so far. Indeed, we might look further up, going to England for similar countenance. An institution like that would have a certain prestige—people would deem it an honour to be associated with distinguished members of the ruling race. Besides its direct practical advantage, the presence of English friends might deter Native members from backsliding when the time came for action. This wealthy and influential Association may then try the usual plans of operation, lectures, tracts, &c., *for the people*, under the sanction not only of their secular rulers, but also of their spiritual guides. All such attempts in the past have been all but useless as directed upon the small educated class who knew the evils full well but had no power to remedy them. Let the people be addressed directly in their own vernaculars. Let the poet and the pandit go hand in hand, scattering the seeds of true knowledge broadcast amongst the mass, to bear fruit in time. Let Government move to some extent under a sense of humiliation that a hundred years of British rule could do but so little towards the amelioration of the social condition of the subjects. And let the people, too, now move for very shame, remembering that there is no hope of political elevation for us so long as we live, and apparently love to live, in such social degradation.

BEHRAMJI M. MALABARI.

Bombay, August 15, 1884.

## No. II.

### INFANT MARRIAGE IN INDIA.

[WITH SUGGESTIONS REVISED AND AMPLIFIED.]

In continuation of my notes, dated 15th August, on the subject of Infant Marriage and Enforced Widowhood, I have now to submit the following points for consideration:—

I. That my statement has been accepted as being generally correct, and that several of my suggestions have commended themselves, partly or wholly, to some repre-



representative Hindu gentlemen and responsible Hindu journalists. It may be added here that a few of these have actually suggested direct legislative action as chief remedy for the evils under notice.

II. That it has been shown that Infant Marriages contribute very largely to compulsory widowhood.

III. That Infant Marriages form no part of a religious institution in India.

IV. That the nominal marriage of a Hindu girl is not insisted upon either by her religion or caste much before puberty; and that even after that period the girl is fit to be married on performing certain expiatory rites.

\* V. That according to Shastras no Hindu male may marry before he has gone through a prolonged course of moral and intellectual discipline. This condition places him between 20 and 30, and it also naturally implies that his wife should be much above 12.

VI. That in spite of this salutary rule the fashion of child marriages has become "all but universal" in modern India—in some castes as many as 60 to 80 per cent. of girls being found prematurely married.

VII. That the educated classes and all sensible Hindus generally deplore the evil results of the custom, but in the absence of some AUTHORITATIVE REGULATION they are quite unable to help themselves. It is too much to expect individual reformers in India, with their peculiar habits and usages, to discard a deep-rooted and wide-spread custom where the area of selection in a caste is extremely limited, and where both parties to a contract of marriage are seldom or never of the same mind as regards the disadvantages of the custom. In some castes the leading members have tried corporate action, but without avail. For instance, a society was formed at Ahmedabad a few years ago, the members of which pledged themselves not to marry their children under certain fixed limits of age. But as there was no binding agreement, no real and uniform *bandobast*, and as breach of faith involved no inconvenience, the volunteers, many of them earnest and sincere men, fell away when their turn came for action.

VIII. That this being so, it is desirable that the State should co-operate with Society to some extent, at least in the initial stage of reformation; that it should lend the cause the weight of its moral influence, should invite the confidence of representatives and otherwise aid them in their struggles for self-improvement. Such action is quite competent to the State: in public interests it can and ought to co-operate with the people so far without resorting to any form of "Interference" rightly understood.

IX. That Infant Marriages lead to a variety of mischiefs. They may lead to unhappiness, and they do lead to suffering in the case of women and to early widowhood; they lead to pauperism and to deterioration of the race. I submit that the State is bound to deal with at least some of these public aspects of the evil.

X. That I propose two methods of action—*first*, to discourage the practice, and *second*, to encourage reform in the matter. With regard to the former (a) I propose that, after due notice, the University (which is not a State department) may declare the married candidate ineligible for Matriculation, and that Fellowships and Scholarships may be likewise refused to married students at College. Further, that heads of Public Departments may prefer the unmarried candidate to the married, all other qualifications being equal. This second proposal might need longer notice. And then, too, I would gladly avoid it if a more feasible alternative could be found. At the same time, I cannot help observing that even this proposal, as it is, does not fall within the legitimate definition of the word Interference. If parents and guardians claim to be free to marry their minor charge at any age, is not the State also free to exercise its patronage to the best advantage consistently with its principles of public morality? Government do not employ physically or morally incompetent persons, however pitiable their circumstances may be. In the case of girls who are minors, and not a few of them orphans, the duty of the State to protect their interests becomes imperative. It is not, therefore, on grounds of justice, but of practicability that I am induced to view this proposal with diffidence. A practical suggestion elicited in the course of the present discussion is worth mention here—that children may be betrothed at any time, but

that on coming to years of discretion they may be given the opportunity of ratifying the contract previously entered into without their assent.

My other method (*b*) is that special inducements may be offered to grown up pupils at school, especially to girls, in the shape of scholarships, prizes, medals, &c.

Referring, again, to suggestion (*a*) I may be permitted to enumerate a few cases with which the British Government has been constrained to deal in a public manner. And though all these cases are not exactly parallel, still they fall more or less under the same category, the difference being more of degree than of kind. The results of a child marriage are almost as inevitably mischievous as of many other social customs in India which the British Government has already put down: in some points the results of such marriage are indeed more mischievous. We have, for instance, Compulsory Vaccination. Defiance of the Vaccination Act, or even neglect or omission to take the benefit of it, has been made penal. Students and applicants for State employment are required to produce the Vaccinator's certificate. Then, during epidemics, patients, of whatever caste, are forced to take hospital medicines. Again, we have the Coroner's Inquest in cases of accident and of suspected crime. All these measures are extremely repugnant to the religious sense of the community, and none of them was asked for by them or their representatives. On the contrary, their introduction was bitterly opposed by the majority. And yet, in the interest of the people these measures had to be forced upon them under specific penalties. There was State action of the same kind, apparently more arbitrary, in the suppression of *Satti*, infanticide, self-torture, lotteries, gambling on holidays, and other religious practices, so-called. Slavery and the traffic in human beings had similarly to be put down with a high hand, though we know that in some cases the slaves themselves, no doubt under inspiration from their masters, declared for bondage in preference to freedom, and though such selling and buying was alleged to have the sanction of religion amongst some nations. A Government, which has done so much for the happiness and advancement of mankind, shows strange inconsistency in declining to act in the present case as supreme guardian of the interests committed to its care. If it waits for the entire population to be sufficiently educated to help themselves, or to apply for aid from without, it lays itself open to the same charge of inconsistency. The Parsi Act, the Brahmo Act and other legislative measures to regulate inheritance, succession, &c., were not undertaken at the instance of entire communities or even all their leaders. Thus, then, guided by the light of its own past experience the least that the State should do in this matter is to co-operate with enlightened public opinion to the extent above indicated. The practice of Infant Marriages has taken deep root in the soil, and the efforts of private individuals by themselves will never dislodge it. The custom is like a chronic disease too obstinate to yield at once and to single remedies. Combined and sustained action alone will cope with it successfully.

At the end of my first note on Infant Marriage I have called attention to two seriously objectionable forms of the custom—young girls married to old men and grown up girls married to boys. Is it too much to call upon Society and the State to protect minors from such obvious injustice?

### ENFORCED WIDOWHOOD.

As to Enforced Widowhood it is in some points a more difficult and a much more delicate question to deal with. Nobody wishes the young widow to be remarried by force. Only let second marriage be optional with her. This justice has already been accorded to woman under Act XV of 1856. But though the British Government in India has made the remarriage of widows perfectly legal in theory, practically the enactment brings little relief to them. In effect it leaves the widow very nearly where she was before; and by betraying its own weakness, it upholds the pretensions of caste. The struggle between the two parties, as unequal as ever, has now been rendered doubly sharp. This conflict appears to be incompatible with the avowed object of the Legislature, and it may ruin the cause of reform. The Code sanctions the remarriage of widows. But Caste tears up the sanction with vindictive zeal, and visits with its severest displeasure all those concerned in an act sanctioned by the law of Nature and confirmed by the law of the land. Europeans cannot realise the full meaning of "ex-

communication" in India. It means the snapping of cherished domestic ties, the upsetting of close social relations for an essentially home-loving people, the forfeiting of everything that makes life bearable. Let the Courts call upon the Panchayet to show cause for its action wherever it is found to be vexatious, affording some facilities to the victims at the same time; and excommunication will lose half its terrors. Such a step, necessitated by the ineffectual advance made in 1856, will curb the recklessness of the strong and breathe a sense of security into the weak. To add to the difficulties in the way of widow marriage there are the expenses. The priest will not officiate at the ceremony for his usual fee. In view of these and other difficulties I now submit the following revised suggestions :—

I. That, if possible, the widow be helped to a handsome allowance from her husband's effects, so as to make her independent of those whose interest it is in many cases to keep her a widow all her life.

II. That in the interests of widows ill-provided for, the marriage ceremony be made as inexpensive as possible—for instance, by ruling that two or three declarations before the Registrar may constitute marriage.

III. That Government may be pleased to make annual grants for a few years to a Widow Marriage Fund in aid of the movement.

IV. That special educational facilities be provided for widows, to enable them to qualify themselves as school mistresses, midwives, medical practitioners, and so on.

It would be wrong, I submit once more, to trust entirely to the unaided efforts of individuals. Such efforts may have succeeded in European countries where society is more or less compact and homogeneous. But in India, with its innumerable sects cut off from one another by wide difference in locality, language and other bonds of national unity, and where social life is regulated by the *ipse dixit* of an intensely conservative and irresponsible priesthood; where men's minds cling to the glories of the past too tenaciously to be diverted to the more glorious possibilities of the present or the future; spontaneous and self-helping progress is, to my thinking, impossible. It is necessary, no doubt, that social leaders should pave the way for action on the part of the State. But at the same time it is equally necessary, I hold, that the State should brush away obstacles in the path of progress, listen to the reformers' call for succour, approve and encourage their appeal, and in short, show itself ready to guide the steps of a nation struggling in second childhood. This has been the character of British administration in India, and this spirit of statesmanship shall have to be maintained if Britain wishes to vindicate her moral supremacy. Let me not be misunderstood again as throwing the burden of responsibility on the rulers. The sum total of my demand on the State is for *temporary aid and co-operation*, such as it has more than once extended before to less urgent reforms. This friendly action is of vital importance to the cause, and I cannot therefore lay too much stress upon it, or repeat the demand too often or in too many forms.

Now whatever the attitude of statesmen, it does not absolve social leaders from their liability which is comparatively heavier. But in the case of the latter it must be remembered that most of them, as individuals, are far from being free agents. And though anxious to take the initiative, they dare not do so unless assured of combination from within and co-operation from without. As to the people I observe that the national conscience is being slowly awakened to the urgency of reform. Signs are visible in some parts of earnest inquiry and discussion. Encouraged by these signs of the times I am arranging to publish in book form all the opinions received for and against my proposals. This compilation will be largely distributed in India and elsewhere. It will also be translated into the principal vernaculars and scattered far and wide over the country. The next step will be to start an Association. If this Association is subsidised by Government, by Native Princes and other friends of the cause, it may do much good by means of pamphlets, lectures, appeals, and other modes of popular education. In the meantime practical suggestions will be gratefully received. If correspondents wish their letters to be treated as private, they have only to express the wish.

BEHRAMJI M. MALABARI.

Bombay, 23rd October 1884.

From the Hon'ble J. GIBBS, C. S. I., C. I. E., Judicial Member, Government of India,—dated Simla, the  
11th July 1884.

MY DEAR MR. MALABARI,

I have read your memorandum on the question of child marriages and perpetual widowhood. As you are aware, I have long been deeply interested in the subject, and have done what I could to advise my Hindu friends, especially, to make a stand against both. The former is a practice not confined to Hindus, but is practised by Parsees and Mahomedans also. And having watched it carefully for many years, I am convinced that it results in great physical as well as moral evils. I was first struck with the results of early marriage when I was serving in Guzerat, about thirty years ago. And the enquiries I then made led me to the conclusion that the physical consequences were very injurious to both sexes. Young mothers became stunted in growth, and often became invalids for life, while children were too often puny and weak. But it was during my residence in Bombay in 1860-62, when I first met poor Karsandas Muljee and heard from him the result of his inquiries, which went much further than mine had done, that I found my own views terribly confirmed. I do not think that any legislation can touch this part of the subject. Nothing but the constant hammering at all classes, but especially at the leaders of the different religious sects, can do good. The remedy in itself is easy. Let each leading man determine that he will not allow such marriages in his family, and in a few years the custom will die out. It is peculiarly a matter for the educated classes, as I told them when I distributed the prizes at the Bethune Institution last cold weather. You must bring public opinion to bear through the Press, and you must, if possible, get expressions of opinion from men in high official positions as a background to work on; and this, I think, you can manage. I am inclined to think that Lord Ripon would help in so good a cause.

As regards widow marriage the matter is one of a different description, and I think it will require further legislation to carry it out fully. It is so complicated, involving a good deal of crime, besides the hardships on the poor women, that it requires to be dealt with very carefully. I need not enter into the sad results of the custom, for they are well known to every one who has been a few years in this country. And I doubt whether any thinking men have two opinions on the subject. But the question is, how is the desired end to be brought about? This is no easy matter. Government cannot make the first move; it must come from the people. As I told Lukhmidas Khimjee, when he came to see me about it in Bombay seven years ago, the course is for strong memorials to be got up by the reforming party amongst the Hindus, urging the necessity of further legislation and pointing out the direction such should take. If this was done, and memorials sent in from Bombay, Madras, and Bengal, signed by the leading men of each presidency or portions thereof—for the more the memorials the better—Government, I think, would take the subject into its very careful consideration. But without pressure of this nature, it could not take up a matter based on such deeply-rooted social prejudice (the religious point has long ceased to be urged).

But I quite agree with you, that even such a movement as this will not be taken up generally unless Government should be known to be in favour of it. This can only be known by expression of personal approval by officers in high positions, given publicly if possible. When the people see that Government is favourable to such a course, the battle is half won. You have already societies for furthering widow marriages in many parts of India, and occasionally we hear a great flourish of trumpets about a marriage of that description. But the societies do not work as they should do. It is their duty to get up such memorials as I have alluded to above; and you must bring the power of the Press to bear on them to do this; no one has such influence as you have for such a purpose.

These are shortly my views on the important subjects. You have my hearty concurrence in the steps you are taking, and my warm sympathy and best wishes for the success of the movement. It does great credit to your heart, and should you succeed, as I feel you will in time, no one will deserve so lasting a memorial from his countrymen and countrywomen as yourself.

Yours very sincerely,

J. GIBBS.

From His Excellency the Most Hon'ble the MARQUIS OF RIPON, K. G., Viceroy and Governor-General of India,—dated Simla, the 20th August 1884.

MY DEAR MR. MALABARI,

I have now carefully examined the two papers which you have forwarded to me upon the subjects respectively of "Infant Marriage" and "Enforced Widowhood." The two questions are practically branches of one and the same question, the position of women in India. Of the importance of this matter I am fully sensible, and indeed I regard it as perhaps the most pressing, at the present moment, of Indian social questions. I cannot therefore but fully sympathize with any attempt to do something towards obtaining an amelioration of the condition of women in this country, and you have my best wishes for the success of the efforts which you propose to make in this direction.

As Indian affairs come to be more attended to and better understood in England, greater interest will, it seems to me, be taken in this question, and I therefore hold that the time has come when the subject ought to be seriously considered by leading men in India. But the question of what Government can do in the matter is one of great difficulty. You allude to the action of Government in prohibiting Suttee: but the case of Suttee is scarcely parallel. Suttee was regarded by us as a crime, and we pronounced it to be a crime, and prohibited it as such. But we could not treat Infant Marriage or Enforced Widowhood in the same way. Indirectly these practices undoubtedly lead to great evils, but they do not in themselves involve crime nor are they so necessarily and inevitably mischievous as to call for suppression by law, if they are sanctioned by the general opinion of the society in which they prevail.

In such a case the Government cannot take action without having before it full information as to the sentiment and opinion of the community interested; and in consulting, as I understand that you are doing, influential persons throughout India on this point, you are, I believe, taking the most practical step which is at present possible, towards the attainment of the objects which you have at heart. I shall rejoice if the result of your inquiries should show that there exists an opening for the Government to mark in some public manner the view which it entertains of the great importance of reform in these matters of Infant Marriage and Enforced Widowhood.

I remain  
Yours faithfully,  
RIPON.

From the Most Noble the MARQUIS OF RIPON, K.G.,—dated 1, Carlton Gardens, S.W., the 19th August 1886.

MY DEAR MR. MALABARI,

I am very glad to learn that you are making progress with the social questions in which you take so deep an interest. As I wrote to you from Simla in August 1884, I fully sympathize with every attempt to ameliorate the condition of women in India, and you have my best wishes for the success of your efforts in this direction.

I trust that the day is not far distant when the reforms which you advocate will be accomplished, and I do not hesitate to say that the effect of their adoption upon public opinion in England will be of the best kind.

Believe me  
Yours sincerely,  
RIPON.

From the same,—dated Studley Royal, Ripon, the 26th August 1886.

MY DEAR MR. MALABARI,

Since I last wrote to you I have read Mr. Justice Scott's letter in the *Indian Spectator* of the 1st August, and I am prompted to tell you how closely I agree with the opinion expressed in it. Mr. Scott's advice seems to me very sound, and the course which he recommends for immediate adoption is, I think, most judicious.

I do not say this because I am insensible to the evils of enforced widowhood—they are great and serious—but I believe that you are likely to make more rapid progress, by dealing in succession with each of the two questions which you have taken up, than by attempting to force them both forward simultaneously.

Believe me  
Yours faithfully,  
RIPON.



From the Hon'ble SIR ALFRED LYALL, Lieutenant Governor of the North Western Provinces,—dated Nainee Tal, the 24th August 1884.

MY DEAR SIR,

I have read with much interest the printed Notes that you have been good enough to send me with your letter of August 19th. I need not say that the reforms you advocate have my full sympathy and that I should be very glad if I could see my way towards promoting them. Whether it is expedient and practicable to give any definite support to them, on the part of Government, in this part of India, is a question which I am not yet prepared to answer; but I will consider the point, and on my return to the plains I will take occasion to consult those who can best advise me upon it. My present view is that the State should be ready to countenance any distinct movement of public opinion in the direction of these reforms.

Infant Marriage seems to me a much more difficult subject than the Remarriage of widows. There are in Northern India many castes or tribes (chiefly agricultural) among whom I understand widows are usually married again; and I have much hope that the custom may spread.

I will do what I can to aid you by circulating copies of your Notes.

Very Faithfully

Yours,

A. C. LYALL.

From the PRIVATE SECRETARY to H. H. the Lieutenant Governor of the N. W. Provinces,—dated Allahabad, the 27th March 1886.

DEAR SIR,

I have shown to Sir Alfred Lyall your letter and the draft of your 'Present Programme.'

In reply he desires me to say that in your general aims and objects he fully sympathizes, and that personally he is quite disposed to give them his support whenever the state of public opinion among natives of India upon these questions shall have prepared the ground for opportune and effective encouragement by English officials.

You will not fail, however, to remember that in all countries the position of women is still more or less unsatisfactory, and that in no country does the Government interfere in this class of social questions without clear previous assurance that its interposition is called for by the ascertained wishes and feelings of a considerable section of the people.

From this point of view, Sir A. Lyall has no hesitation in approving your project of travelling about India, for the purpose of ventilating the subject and of organizing individual effort and united action for the promotion of your views, and he wishes you every success. In regard to the details it is difficult for a foreigner to venture upon advice. But Sir Alfred Lyall quite agrees that the main point for your attack should be not so much early betrothal as premature cohabitation, and it may be added that legislation would probably deal more easily with the latter than with the former subject. In the case of young widows, Sir Alfred Lyall certainly thinks that the law should enable them to contract a valid and legal union by some simple system of civil registration, and this might be one of the earliest reforms proposed to Government.

Yours sincerely,

W. HOLMES.

P. S. to Lt. G.

From the Hon'ble SIR CHARLES AITCHISON, Lieutenant Governor of the Punjab,—dated Simla, the 11th September 1884.

DEAR SIR,

Since I had the pleasure of seeing you in Simla I have been a good deal on the sick list, and I hope you will not consider me unkind in not having written to you sooner to express to you the interest with which I have read your two papers on Infant Marriage and Enforced Widowhood. You know already from the conversation we had how deeply I sympathise with your views on both questions. I do not think it is the province of Government to take the initiative in such reforms. Very little good can result from Government action in such matters until the way is cleared by enlightened native opinion, and I think you are taking the right course in endeavouring to educate

the opinion of your fellow-countrymen on the subject. I shall be most happy to help you in this direction by every means in my power, and if you wish it, I will circulate copies of your papers to various societies and private gentlemen in the Punjab whose co-operation may be of use to you.

I am, Dear Sir  
Yours very truly,  
C. U. AITCHISON.

From the same.—dated Lahore, the 17th April 1886.

MY DEAR SIR,

I have to thank you for yours of 18th March, which circumstances have prevented me from acknowledging sooner. I watch with the deepest interest the progress you are making with the great social reform with which your name will be for ever associated. You are going about it in the true way. It is only by gradual education of public opinion on questions of the kind that success can be attained.

I wish you very heartily God-speed.

Yours very truly,  
C. U. AITCHISON.

From the Hon'ble (now Sir) W. W. HUNTER, C. S. I., Member of the Viceroyal Council,—dated Simla, the 8th November 1884.

MY DEAR MR. MALABARI,

Only one line amid the pressure of work awaiting me on my return, to thank you for your letter of the 29th October. I have considered your points carefully, and the difference between us is not great. But the fundamental necessity of the initiative coming from the natives remains. I think you have taken a wise and practical step in arranging for a Committee of Gujarati Hindus, and I shall be glad to hear of its progress.

Wishing you well in your efforts on behalf of the most helpless class of our Indian fellow-subjects,

I am sincerely yours,  
W. W. HUNTER.

From the same,—dated Calcutta, the 21st January 1885.

MY DEAR MR. MALABARI,

If ever you feel down-hearted about your work, I wish you could hear the cheer with which the message to you in this little speech was endorsed by your fellow-workers in Calcutta. It is the expression of real good-will to you from this side of India, and of the affection and esteem of

Yours sincerely,  
W. W. HUNTER.

Extract from the Hon'ble MR. HUNTER's address at a meeting of the Sabha Bazar Debating Club of Calcutta, delivered on January 21st 1885.

Mr. Malabari, although a Parsee, is a native of India; and he knows the relation of early marriage and widow celibacy to social tradition and family convenience with an exactitude to which no Englishman can aspire. Yet some of you here seem to think that in his eloquent advocacy of the cause of the child-widow and the child-wife, he goes further than is expedient in the present state of Hindoo society. I have known Mr. Malabari for many years, and after much conversation and correspondence with him, I have been unable to discover the precise form which the legislation that he desires could with advantage take. But, gentlemen, the Hindoo reformer who underrates Mr. Malabari's aid seems to me to play a shortsighted part. Mr. Malabari is, with a small unflinching band, toiling up the breach through which you will, at no distant date, rush into the captured citadel. I feel sure that his self-devotion, his persistence and that righteous indignation which has been infused into his writings by a sense of the great wrong done to millions of helpless child-widows and child-wives, are at this moment creating a profound impression on Indian society and on Indian thought. It is the nature of such men to suffer keenly, to think they accomplish nothing, and to believe that they are beating their lives out of them against the impregnable fortress of custom in vain. Do not add to their discouragements. Rather join with me in assuring Mr. Malabari from this distant city, that his is no voice crying in the wilderness, but the word of command to an advance guard behind which may be heard the slow but steady tramp of a mighty army. (Cheers.)

From SIR LEPEL GRIFFIN, Governor General's Agent in Central India: The Residency,—dated Indore, the 7th March 1885.

MY DEAR MR. MALABARI,

I am much obliged to you for your long and interesting letter just received.

I have read, as they have appeared, and will now re-read your papers that you have been so kind as to send me, on the subject of Widow remarriage and Early marriage, and I can assure you that my interest in the questions that you have discussed so ably, and upon which you have expended so much time and trouble, is not in any way lessened. That you should, in your liberal efforts, meet bitter opposition from the more prejudiced of your own countrymen, was to be expected: and I am quite sure that no amount of opposition will induce you to desist from your generous efforts on behalf of those unfortunate women and children who have so few to take their part. Opposition is, moreover, the very breath of life to those who have a cause worth fighting for. Your satisfaction at the triumph, which intelligent sympathy and courage will and must eventually win over bigotry and superstition, will not be the less enjoyable from the remembrance of all suffering and conflict you have past.

You have my best sympathy, and if I can help in any way, either with money, or with my pen, I am entirely at your service.

I am very sorry that you have been compelled to postpone your trip to Upper India. When you pass this way, remember that I should be exceedingly pleased to entertain you at the Residency, and that you will receive a warm welcome from

Your sincere friend,  
LEPEL GRIFFIN.

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From the same,—dated Indore, the 18th March 1886.

MY DEAR MR. MALABARI,

I have followed with much interest and sympathy your progress through Northern India and have been much pleased, and to a certain extent, surprised to see with what warmth your exposition of the infant marriage question has been received in some of the most conservative centres of Indian bigotry. I do not, however, attach much importance to the verbal adherence of the Pandits and the English educated youths, to the new Gospel; because the first always endeavor to appear ready to accept reforms when, in their hearts, they are bitterly opposed to them and have not the faintest intention of yielding one iota on any points of ceremonial procedure or tradition.

The second class are a great deal too much engaged in asking for impossible concessions which would only ruin them if obtained, to care much for social reform, however necessary.

I have the warmest sympathy in your views, but, Oriental as you are, I do not believe that you realize the intensity of Hindu conservatism. You are sufficiently enthusiastic to be a Western reformer, and you are thrown away in a country which has had no enthusiast since Gautama.

Your sincerely,  
LEPEL GRIFFIN.

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From RAO BAHADUR MADHAV GOVIND RANADE, M. A., LL. B., at present Member of the Legislative Council and Legal Remembrancer to the Government of Bombay—dated Poona, the 18th August 1884.

MY DEAR MALABARI,

I have read both your Notes with great interest, and I herewith communicate to you my views in regard to them. Before doing so, however, I cannot refrain from expressing to you my sense of the great satisfaction (not unmixed with pain at our own apparent backwardness) which I feel that in the midst of your multifarious duties you have found time to devote so much attention to these subjects. We have ourselves thought much on these social problems for the last twenty-five years, and discussed all their theoretical and practical bearings. As far as circumstances permitted it, we have also, each in his place, tried to give effect practically to our views. I confess we have not done as much earnest work as the needs of the case, and our sense of duty, require; and of this weakness none are more painfully conscious than some of us. Our deliberate conviction, however, has grown upon us with every effort, that it is only a religious revival that can fur-

possess sufficient moral strength to work out the complex social problems which demand our attention. Mere considerations of expediency or economical calculations of gains or losses can never nerve a community to undertake and carry through social reforms, especially with a community like ours, so spell-bound by custom and authority. Our people feel, and feel earnestly, that some of our social customs are fraught with evil, but as this evil is of a temporal character, they think that it does not justify a breach of commands divine, for such breach involves a higher penalty. The truth is, the orthodox society has lost its power of life, it can initiate no reform, nor sympathise with it. Only a religious revival, a revival not of forms, but of sincere earnestness which constitutes true religion, can effect the desired end. A small community like yours does not present to you much difficulties; but even with you I believe the reformers are working without the renovated heart which alone furnishes the necessary impulse. The European nations are not aware of this difficulty; they have passed through the metaphysical stage, and considerations of positive good or evil here below have with them a force which suffices to carry them through, when a majority is secured on the side of change. It is this conviction of the hard conditions of the problem which retards our progress. People find fault with us, even abuse us, for half-heartedness, for our apparent want of fire and enthusiasm. God only knows that in our households we are perpetually at war with our dearest and nearest, we struggle and strive to do our best, and have perforce to stop at many points when we fear the strain will cause a rupture. This is our present situation. We do not think either Parsee or European philanthropists can make any impression upon our society. Empires come and go, dynasties change, but our society remains unconcerned. These are my views on the general question.

Remedy

As regards the two Notes, I go in fully with you, that the time has now come for a determined effort to secure a legislative and executive sanction to a moderate limit of minimum age being fixed below which early marriages should be discouraged. Three years ago we started a movement here, and have secured a considerable number of signatures to a proposal to fix the boy's age at 17 or 18 and the girl's at 10 or 11. These limits are not all that we should wish, but as a commencement we must carry the more cultivated sentiment of the people with us. Once this is done, we might by gradual steps raise the limit in due time. I have personally solicited several Native members of the Legislative Council to undertake the initiation of such a Bill in the local Legislature. Mr. —, at my instance, sounded the executive authorities, but these professed to be afraid of handling the matter. I agree with you that in order to stimulate the discussion of the subject, a motion might be brought in the Senate of the University prescribing bachelorship as one of the requisite qualifications for the Matriculation Examination. The Educational Department might be also moved in the matter, and after that the rule might be extended to other departments. I have again asked Mr. — to think seriously of distinguishing his tenure of the Councillorship with the initiation of such a measure. The discussion will draw general attention to the subject and prepare the national mind. It will be thus seen that your friends here go in generally with you on this subject and will be glad to co-operate with you as you desire.

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As regards the other subject, I regret that we cannot take the view which recommends itself to you. The legislature has done all that was necessary to legitimize such marriages. I have had something to do with the guidance of the remarriage movement in this Presidency, and I feel confident that we have made good progress during the last fifteen years and more. It is a very delicate subject. When the victim of cruelty welcomes the disgrace and effacement, it is not to be expected that startling results will be achieved soon. We are slowly touching the consciences of the people, disarming the opposition of the terror of excommunication and teaching the female sex to rebel or protest. These influences will be strengthened by our efforts to promote their higher education. Our people will not like any interference of the police or magistrate with such delicate matters, and Government can never be too cautious in its dealings in this connection. I have shown your letter and this reply to friends here, and they go generally with me in the views expressed above.

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Yours sincerely,

M. G. RANADE.

From A. MACKENZIE Esq., Secretary to the Government of India,—dated Simla, the 13th July 1884.

DEAR MR. MALABARI,

I have read with interest your papers upon "Infant Marriage" and "Enforced Widowhood," and wish you a hearty God-speed in your campaign against those two monstrous evils, which have so long been sapping the morals, the mind and the physique of India. They are neither of them, as it seems to me, matters in respect of which Government can take action directly. Caste prejudice—their nursing mother—will not, we may be sure, die a violent death at the hands of the public executioner and by sentence of law, but will dwindle away, as enlightenment advances, and perish of inanition at the last, just as the belief in witchcraft did in Europe.

I need hardly remind a man as well-read as you are that social progress must everywhere depend upon intellectual progress. Turn up your Buckle for proof of that. The social reformer must trust to education, and not to dictation, in his crusade against popular beliefs and prejudices. Compulsion can never be conviction, and without conviction both social and material reform is impossible now-a-days. Now conviction is a plant of slow growth : and the social reformer is apt, we know, to view with impatience the tardy progress of opinion and to declare at times that no progress whatever is being made. I thought yesterday—at times you took a very desponding view of things. I myself am inclined to believe that the advance of late years has in India been very remarkable, and I have frequently expressed an opinion that we shall soon see a sudden and marvellous transformation in the moral and religious scene around us here. The hours of night hang heaviest towards dawn ; but just as your Indian sun leaps almost at a bound into the full blaze of day, so I expect to see (or if not I, those who next follow me may see) a "Reformation" in India of which that in Europe was but a faint and partial type.

It is quite true that with much that is hopeful there is much to discourage those who would fain see India growing. Many of my native friends, who were sound enough in theory on the subject of infant marriage, failed, when the question came to personal and practical issues. They could be pilots of others, but sank themselves to be castaways. It is because I think such a movement as you desire to inaugurate would strengthen the knees of such feeble folk that I specially wish you success. You cannot scold or legislate the people at large into setting aside caste prejudices, but I do think you can make it to some extent "fashionable" to despise them. Get, then, all the leading native gentlemen, whose education has already taught them the folly and wickedness of infant marriage and enforced widowhood, to band themselves into a national association for the propagation of sound ideas on these subjects. Education is, after all, the true and only common basis for Indian nationality. Make it the object of the association to encourage and support all who hold similar views. Get all the leading officials and non-official Europeans to affiliate themselves as sympathisers and well-wishers. Raise funds for compiling and circulating vernacular tracts on the subject, letting it be known far and wide how influential the movement really is. Hold meetings periodically at all large centres to induce young men especially to join the association and pledge themselves to advance its aims ; and you will, I feel sanguine, give a great and lasting impulse to the reforms you so much desire to bring about.

Yours sincerely,  
A. MACKENZIE.

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From the same,—dated Simla, the 28th September 1885.

MY DEAR MR. MALABARI,

I have been permitted to send you a spare set of the replies of the Local Governments upon the questions raised in your "Notes." You will see that so far official feeling is not in favour of Government action at the present stage of the movement. Whether the Government would undertake to fix by legislation a minimum age for marriage, or to assimilate the legal position of the chaste to that of the unchaste widow (the difference in which at present certainly involves an anomaly) must depend entirely, I should say, upon the eventual strength of the demand for such action on the part of the Hindu community. It may not be necessary to wait until Hindu opinion is unanimous on the point, but certainly there must be more unanimity than has yet been secured. That at least is my personal view. I am not warranted in expressing any other.



Nevertheless, I think your agitation has done a vast amount of good. The very vigour and virulence of some of the rejoinders is a promising sign. You have effectually roused public attention to the important questions discussed in your Notes, and I hope you may succeed in maintaining the movement, and getting leading reformers among the Hindus to take the matter up and "educate" their less advanced countrymen up to the desired standard—when Government would probably feel justified in taking action to assist their views. Opinion moves very rapidly now-a-days, and you need not despair of seeing your plans in some measure realised.

I have observed with great interest and satisfaction Mr. Justice Pinhey's judgment refusing to import into Indian legal practice the English "order for restitution of conjugal rights," in cases of unconsummated infant marriages. Where there has never been voluntary cession, no question of restitution can arise. If the decision is upheld on appeal it will throw an effectual shield over many virgin wives. There is, however, this practical difficulty—that few of them will be educated sufficiently to know their rights and still fewer of them will care or venture to assert them.

I wish you all success in your further propaganda, and if you find the cash running short and open a subscription, you can apply to me for my mite to help on the good cause. You must have spent a small fortune on paper and printing.

Yours Sincerely,

A. MACKENZIE.

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From the Hon'ble SIR AUCKLAND COLVIN K.C.M.G., Finance Minister,—dated Simla, the 15th July 1884.

DEAR SIR,

I have to thank you for the papers on 'Infant Marriage in India' and on 'Enforced Widowhood', which you have been good enough to send me.

You will have gathered from our conversation on the subject that, entirely as I sympathise with you in your efforts to bring about reforms in both these matters, I fear that it is extremely difficult for Government to assist you in the present stage of affairs. They are questions intimately connected with the religious practices of the Hindus, and while they are open to obvious objection in themselves, they cannot be suppressed, like Suttee or infanticide, on the ground that they are in themselves grossly immoral or destructive of human life.

The first thing to be done is to obtain from a large consensus of opinion amongst educated and influential natives a declaration hostile to these customs. If, as I understand from you, they rest on insecure legal bases, assistance should be given by natives interested in the matter, with the view of obtaining test decisions. The native press, which at present seems totally averse to furthering social reform, might be of greater assistance in discussing questions of this nature, the merits of which it thoroughly understands, than in wasting itself in barren philippics against English rule and English character.

I am afraid it is only cold comfort that I give you; but if I can help you in convincing your countrymen that their real work lies amongst themselves, and not in political declamation, I shall be of use to you and to them. You (as the editor of the leading native journal) need not to be reminded that, in matters of this kind, the Government cannot help you unless and until you help yourselves. The natives are calling on Government (in the intervals of abusing it for its want of appreciation of their efforts) to save them the effort of themselves showing their appreciation of their most elementary duties. I, myself, despair of any native social reform until the natives abandon the self-imposed task of reforming me and my countrymen. I fear that this task is far too congenial to them to allow me to hope that it will be lightly abandoned; so that you, and I, and the widow, and the five-years-old bride must possess ourselves in patience, until a humbler and truer conception of its needs and duties at length breaks in upon the native mind and on those whose duty it is to instruct it.

Yours very truly,

A. COLVIN.

From the same,—dated Simla, the 15th September 1884.

MY DEAR MR. MALABARI,

You are quite right in believing that you have my sincere sympathy, and (as I think) that of all Englishmen who, feeling a deep regard for your countrymen, are anxious to see them commence a serious effort to throw off habits and prejudices belonging to past times, which so impede them in their present struggles to emancipate their social and domestic life. Do not let yourself be discouraged by the opposition of those whose aim, (as you point out in your article), would seem to be self-advancement, rather than self-improvement. Time, which will test the value of their labours, will, I believe, certainly advance and continuously assist yours. I am one of those who think—and have no hesitation in saying—that societies which will not make any combined effort to reform their own shortcomings are not to be much trusted when they combine to reform public affairs. They lay themselves open to the suspicion that in the profession of public zeal, they find an agreeable cloak for the discouragement of private duty. It is because many native advocates of progress proclaim in public enlightened principles and urge liberal practices, the application of which to their domestic affairs they strenuously oppose, that I ventured, in writing to you, to express the view that it was not the outside only of the platter, but the inner also, which requires attention.

It is, to me, a matter of deep concern that you should be opposed, or only half supported, by those whose best interests you have had the courage openly—in the teeth of violent prejudice—to espouse. I feel assured that your labour will not be wasted, and that many are with you in heart, who as yet may fear to say so. Try and get up, in each Province, Societies having for their aim the object you are advocating; encourage discussion, however bitter in its tone against you personally; and be no respecter of persons. Plain misrepresentations are best met by plain truths.

In any case, I hope that the knowledge that your struggles are closely watched by the most enlightened among your countrymen, and in Europe, will sustain you through the disappointments and difficulties which must inevitably be met by all uncompromising reformers.

Yours Sincerely,  
A. COLVIN.

From the same—dated Simla, the 26th September 1885.

MY DEAR MR. MALABARI,

I have received your recent Circular, and am glad to find that you are strengthening your organization and extending the area of the movement.

It is to me a matter of great regret that the Government can, at present, give you but little assistance. But in India, more than in many other countries, the battle of social reform must be first fought by those whom it immediately concerns. They have always the Government behind and with them, as a reserve of strength, when the hour has come to employ it; but it is for them, by their efforts, to hasten that hour.

I know how unsatisfactory this must seem to you, penetrated as you are by the sense of the miserable evils which you are devoting yourself to remove. But time, education, and many other influences are working with and for you, better than the Government could do; and like other reformers you must work in the certainty of the ultimate triumph of your cause, though personally you may suffer disappointment.

Yours very truly,  
A. COLVIN.

From the Hon. SIR STEUART BAILEY, Member of the Government of India in the Home Department,—dated Simla, the 7th July 1884.

MY DEAR SIR,

I have read your papers with great interest, and shall be glad to do anything I can to assist you in your struggle against the two evils of early marriage and enforced widowhood which you denounce. That they are both serious evils, no one can doubt, and I believe the evil of them to be generally recognised among the educated Hindus. But to reform them, the impulse must come from within, not from without. Government can interpose against what are in the ordinary sense of the word, recognised crimes, but

it can do little against social customs which are universal and which are enforced only by social penalties, however injurious such customs may be. At all events Government ought not to take the initiative. I think if a number of memorials from different associations all over the country, urging action and agreeing on a special line of action, were submitted, the hands of Government would be so far strengthened, that they might be justified in moving in the matter, and what I would suggest is that the associations all over the country, which take an interest in the matter, be urged to adopt this method. The associations might memorialise Government by way of preparing the public mind, and then a conference of representatives might draw up the lines on which they think Government would move safely and effectually. Unless something of this sort is done, the premature or spontaneous action of Government would be likely to evoke opposition and throw the whole movement back instead of advancing it.

It will be easier for Government to deal with the question of widow remarriage, where protection against caste persecution only is wanted, than with that of child-marriage where the question really seems to lie mainly in the hands of the leaders of society themselves. I suppose the most hopeful outlook on this question is that the guidance of caste feeling will gradually fall into the hands of educated men who will lend their influence, and thus that of the caste, in support of the object you have in view. Earnestly sympathising with the struggle you have undertaken.

I am  
Yours very truly,  
S. C. BAYLEY.

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From the same,—dated Simla, the 7th September, 1886.

MY DEAR MR. MALABARI,

My reason for not having written earlier was that the questions raised by you were still under the consideration of the Government of India and I did not wish to commit myself to a view that might not be concurred in by my colleagues.

The reports of all the local Governments have now been received and are about to be published with a brief Resolution by the Government of India.

The views of local Governments, though for the most part thoroughly sympathetic with the object you have in view, are all against the expediency of any legislative or executive action, such as you recommend, and their opinion on this point has been accepted by the Government of India.

Premising that I thoroughly sympathise in the expediency of the reforms you advocate, I think for my own part that Government interference would, at the present stage, retard rather than advance the reforms.

The sphere within which Government can usefully legislate in social matters is really very limited, and to legislate on marriage questions in the face of the whole bulk of conservative sentiment, custom, and religious pride of the country, would be both useless and mischievous. Useless because Government could not without most objectionable inquisition enforce such decrees, and mischievous because evil must always result from a Government roughly irritating the feelings of the people on such subjects. Especially should these considerations have weight, when the Government represents a nationality and a religion differing from those of its subjects.

So much for the general considerations which would lead me to deprecate the interference of Government until Hindu opinion, or that of its leading representatives is much more united on the subject than can be said at present to be the case, and though I have put forward these considerations, as from the Government point of view, I am not sure that they are without force even from the reformer's standpoint. I mean that the agitation for reform is more likely to be well received, if dissociated from the idea of its being backed by Government action, and if left to the spontaneous energies of the people and their leaders, than if looked upon as forced on them by Government.

At the same time I should greatly regret if the refusal of Government to interfere led you and your fellow-workers to any discouragement or diminution in your endeavours to influence public opinion. I feel thoroughly convinced that public opinion, moulded and influenced by its natural leaders, is not merely the best, but the only instrument for giving effect to your reforms, and that the reforms themselves are so obviously benefi-

cent that the question is only one of sooner or later ; and all the more earnestly would I encourage you to labour on in the cause by means of local committees, societies framed for the purpose of advocating and *practising* the reforms, by pamphlets and speeches, and all the machinery of organisation which in other spheres the natives of India have not been slow to adopt. If the spirit of social reform is as ardent and energetic as that of political reform, your success in the not distant future is assured, and you have my heartiest sympathy and good wishes in the work.

Yours very truly,  
S. C. BAYLEY.

From the Hon'ble MR. AMEER ALI, Member of the Viceregal Legislative Council—dated Calcutta, the 24th August 1884.

MY DEAR SIR,

I have read your memorandum with the greatest interest, and quite agree with you in your statements and conclusions. You are right in observing that the Mahomedans are not quite free from at least one of the evils. And this is the reason which makes me particularly anxious to see you succeed in your efforts. I shall endeavour to write to you in detail on the subject as soon as I get away from the professional treadmill here, or I may be lucky enough to find time to see you on my way to England. At least I am consoling myself with this hope.

Yours Sincerely,  
AMEER ALI.

From MANOMOHAN GHOSE Esqr., Barrister-at law,—dated Calcutta, the 26th August 1884.

MY DEAR SIR,

I have read with pleasure and interest your Notes on Infant Marriage and Enforced Widowhood. I am sure all India ought to be greatly indebted to you for ventilating these subjects so earnestly. I have for many years past felt strongly on the subject of child marriages, and wished something could be done to put a stop to the evil. I look upon the system as the greatest curse of our country, and entirely agree with you in all that you have said. An association of the kind you have suggested may do a great deal of good. I feel the Government cannot legislate at present on the subject, but a strong public opinion ought to be created, and our Universities ought to be made to take the initiative, as I suggested in a previous letter.

Yours Sincerely,  
M. GHOSE.

From DR. RAJENDRALALA MITRA C.I.E.,—dated Calcutta, September 1884.

MY DEAR MR. MALABARI,

A long spell of illness has hitherto prevented my acknowledging your "Notes on Infant Marriage and Enforced Widowhood." I thank you for them now. The subjects are of grave importance and worthy of every consideration, but I must at once frankly tell you that I cannot for a moment tolerate any of the remedies you have proposed. What the Government cannot and should not interfere with by law, they should not interfere with in practice. In an autocratically governed country nothing could be more noxious than practical interference by heads of departments. Life would be a curse if such a course were tolerated. I have also yet to learn that disparity of age in marriage does more harm in India than what it does in Europe. Pardon me also for saying that your picture about the immorality resulting from widowhood is highly overpainted. I do not deny that there is a great deal of immorality, but I hold that the sum total of it will not be perceptibly reduced by widow marriage. Under the present state of human civilisation there must always be a large number of men who will not or cannot marry, and as the proportion of men and women of marriageable age is all but exactly the same, there must always be large numbers of women who cannot get husbands, and nature must prevail in most of these, and the result will be immorality. There is no escaping out of the difficulty. Every widow married takes away a husband from a maid, and your utmost efforts result in converting a number of maids into fallen women. The less

the number of widows, the greater the number of maids who can never have husbands. You must not conclude from this that I am an enemy to widow marriage: far from it. I yield to none in advocating widow marriage, but I advocate it on the broad ground of individual liberty of choice and not on account of immorality, possible or contingent. You know well enough that in England maids number not by thousands but by hundreds of thousands, and you will not have the hardihood to tell me that all of them or the bulk of them are chaste, or for the matter of that more chaste than our widows. Nor can you tell me that unchaste maids are better than unchaste widows. I have no daughter, but if I had the misfortune to have a young widowed one in my house, I would have certainly tried my utmost to get her remarried, but in that case I would have thought of her and her only, and never cast a glance about the effect of her marriage on the community at large. In other words, I would have claimed my individual liberty, the liberty of choice of my daughter, and not the claims of morality. You see I am very much outspoken, but I think it better to be so at my time of life than to sail under false colours.

Yours Sincerely,

RAJENDRALALA MITRA.

Mr. Malabari reply's:—

Dr. Mitra's age and learning entitle his opinion to respect, and the circumstances under which he seems to have despatched his protest shield him from a "frank and very much outspoken" retort. Dr. Mitra has every right to hold that Government should not take either legislative or executive action of any kind in dealing with the evils. His silence on another point also implies that this veteran scholar would not like even the Universities to take the initiative. If that be his opinion, it must be bowed to. But I may mention that none of the Hindoo friends who have hitherto favoured me with their views, shares Dr. Mitra's dislike; nor has a single Hindoo paper to hand opposed the suggestion. As to the results of ill-sorted marriages, I believe in the case of women at least they are more mischievous in India than in Europe. Further on, I admit that "the less the number of widows, the greater the number of maids who can never have husbands." But this proposition loses much of its practical value when we are reminded of the fact that the number of marriageable girls in certain Hindoo castes is so small, that men have often to toil on till 40 in the hope of gaining girl wives, who are, of course, given to the highest bidders. There would be less sin and less misery if widows in such castes were allowed to re-marry. I am glad Dr. Mitra favours the re-marriage of widows, which I do not advocate simply in order to prevent immorality. Dr. Mitra is then pleased to compare the position of the young women of England with that of widows in India. This is a mode of discussion which I scarcely need take part in. But when challenged, I will "have the hardihood" to say that taken from the vantage ground of education, freedom, self-respect and the power to earn an honest living, the weight of evidence is decidedly in favour of the Englishwoman,—maid, matron or widow, and especially the last. I wish I could say that the Hindoo woman is half so well-situated as her English sister.

Sept. 8. 1884.

From Mr. J. D. B. GRIBBLE Esq., C. S.,—dated Bangalore, the 31st August 1884.

MY DEAR SIR,

I have read with great interest your impassioned and eloquent appeal to the nation regarding Infant Marriage and Enforced Widowhood in India. My feelings are entirely with you, and I write to say that what feeble support I can give you by countenance, voice or pen, is entirely at your disposal. You are probably aware that I have lately retired from the service, though I do not intend for the present to leave India. I place myself at your disposal, and shall be happy to become an active or passive agent in furthering the movement as you may please to indicate.

If you find time to answer this, I should be glad if you would kindly refer me to any literature there may be on the subject. It will, I think, be a great point gained if we can pile Pelion upon Ossa, in the shape of hard cruel facts, whether taken from unpublished social life or from the criminal records. As regards the latter point, I have long been of opinion that there is an immense amount of unpublished crime, which is mainly due to these two evils. My experience over twenty years as Magistrate and Sessions Judge has confirmed that opinion. Take, for instance, the case of reported suicides and accidental deaths by drowning. I find that in this Presidency about one in every thirty-five deaths is reported either as a suicide or an accidental death! These figures are appalling, but strange to say, they seem to have attracted little or no notice.

Yours very truly,

J. D. B. GRIBBLE,



From S. N. TAGORE, Esqr. C. S.,—dated Sholapur, the 31st August 1884.

MY DEAR MR. MALABARI,

I have read with great interest your Notes on Infant Marriage and Enforced Widowhood in India. The questions are of paramount importance to all of us, and you deserve our warmest thanks for the way in which you have dealt with them. The pernicious custom of child marriage ought especially to engage our attention. It is a canker that eats into the vitals of our national existence, and, if not removed in time, may lead to the degeneracy and decay of the entire race. That the evil loudly calls for reform no one with a grain of commonsense in him can deny: but the question is, how to remedy it? However strongly I may feel on the subject, I must confess that, in my opinion, legislation is not at present practicable, and the only remedy possible is to educate public opinion. For my own part, I am not opposed to any well-considered law fixing a limit of marriageable age, but I fear that public opinion is not yet prepared for any such change.

Yours Sincerely,  
S. N. TAGORE.

From B. N. PITALE, Esqr., Superintendent Home Department, Government of Bombay, to the Editor of the *Indian Spectator*,—dated, Bombay, the 9th September 1884.

I was highly gratified to find that a countryman of mine, alien in race and religion, should, amidst pressing public duties, find time to devote to two subjects of transcendent importance, such as "Infant Marriage in India, and Enforced Widowhood."

I think it unworthy of the community to which I belong, that it should be so lukewarm generally in this matter. The horrible crime of Suttee was put a stop to by the humane exertions of the good Lord William Bentinck. It was on the 14th December 1829, says an historian, that His Lordship, assisted by those two eminent Councillors, Sir T. Metcalfe and Mr. W. H. Bayley, passed a regulation, declaring the practice of Suttee to be illegal, and punishable by the Criminal Courts. This was indeed a very bold step, the more so—because, in the words of the mob, it interfered with the so-called religious rites of the Hindus.

Suttee was a "religious" bearing of an institution which existed for nearly 2,000 years, if history is to be believed, and how it was wiped away in days when the British were but lately gaining ascendancy in this country—the British statesman grappled with the history of the case, treated it as a myth, and such it really was, and tossed it to the four winds with the utmost contempt. In exterminating this diabolical practice, amidst opposition the most powerful, from all sides, when ignorance and superstition so much prevailed, a very prominent part was taken by that great reformer—that worthy son of India—the celebrated Rajah Ram Mohan Roy, who printed and published three English tracts on Suttee, in 1818, 1820 and 1830. The noble exertions, says Dr. Lant Carpenter, of Ram Mohan Roy, "to stop the prevalent atrocity of sacrificing widows on the funeral pile, no doubt contributed to the abolition of that practice. His struggle with the interests of the Brahmins and the prejudices of society would not have been so long, had the British authorities more decidedly and promptly espoused the claims of humanity.

In 1841, the eloquent pen of the late Mr. Ganpatrao Lakshman, a brilliant essayist, depicted to the admiration of the educated youth of Western India, the horrors of Hindu widowhood—that essay, thanks to the industry of Mr. R. S. Jayakar, has been reprinted and preserved for our edification, and the story of a century is kept as fresh and vivid as of to-day. In the same strain, but somewhat mildly, the late Hari Keshavji, (translator, *Sadar Adawlat*), described the woes of the Hindu widow and he was followed by Rao Bahadur Dadoba Pandurang. These last two papers were printed in the *Oriental Christian Spectator* (then under the editorship of Drs. Wilson, Nesbit and Stevenson) for July and August 1841, and the three essayists carried high prizes in those days. Since then there was a pause for 10 years or so, when with the establishment of the Students Literary and Scientific Society, and its vernacular branches, under the auspices of the late Dr. Reid, Rao Bahadur Bhaskar Damodar and others, the subjects treated of by Mr. Malabari were occasionally discussed at the monthly or half yearly meetings before a limited audience. It was, however, all talk, more or less.

Nineteen years ago, in 1865—when Bombay society especially was dabbling in the shares of Land Companies and Financial Associations, the Editor of the *Indu Prakash*, the late Vishnu Shastri, leaving aside all trammels of ease and other restraints, armed with Shastrical authorities founded on the work of the celebrated Ishwer Chandar Vidiyasagar, C. I. E., came to the front and founded, by the aid of educated and sensible men, the Widow Remarriage Association. And by his patience and earnestness, funds were collected and the first remarriage of a Brahmin pair was consummated in 1868, at Gowalia Tank in the large house, then in the possession of Rao Bahadur Moroba Kanoba (*requiescat in pace!*) Thus, the cause has been slowly but steadily progressing in that caste only—its example, however, has been excellently imitated by the members of the Bania community. In the Parbhu, Palse and Shenvi castes, there have been no remarriages worth mentioning. And in the Sonar, there have been but two; so there the cause stands. It shows discreditable apathy on the part of the so-called leaders not acting in harmony with the times. In a case of child-murder which came off before the Hon'ble Mr. Justice West a few years ago, His Lordship very aptly remarked, that Hindu society required to be entirely reconstructed and remodelled.

I was, I confess, extremely disappointed in reading the replies to Mr. Malabari of the Hon'ble Mr. Gibbs, Sir Auckland Colvin, Sir Steuart Bayley, and Mr. Mackenzie. Representing as they do the supreme authority in matters relating to the Judicial, Legislative and Financial Departments of the Government, that they should say that the Government cannot take the initiative in this matter is really painful. What is, then, the use of the Government of India—why does it at all legislate for the people? We have Acts and Regulations on every conceivable subjects. Why, then, should these two subjects alone be not taken in hand at a time when India is governed by a statesman whose heart is akin to that of Bentinck and Canning? Lord Bentinck and his predecessors with one stroke exterminated the monstrous evil of "Suttee," extant, as History teaches us, for twenty centuries. Why, then, these two evils which only cropped up at the utmost three-quarters of a century ago, cannot be effaced? Take the case of Female infanticide for instance—how it was by the persevering efforts of Colonel Walker, Sir J. Pollard Willoughby, Colonel Lang and finally Lord Elphinstone, extirpated from the Native States of Kutch and the several States in the Province of Kattiawar and the Districts of Kaira and Ahmedabad. Humanity urged, and that too, forcibly, to eradicate the evil, and it was done and the Act was passed during Lord Mayo's viceroyalty in 1870. For full particulars regarding the discovery of this horrid practice, I would refer your readers to Dr. Wilson's work published in 1855, and to the January number of the *Oriental Christian Spectator* of 1841. It was hard at first to bring the chiefs of the inhuman tribe in which it existed under strict engagements to abandon it. The Greeks and Romans were perfectly aware of the crime being perpetrated in India and referred to Broach and its vicinity as its more immediate site. When the Hon'ble Mr. Duncan came to Bombay as Governor, he made enquiries, and in 1805 instructed Colonel Alexander Walker, the Resident at Baroda, to communicate with one Sundarji Shivaji and to prevail on him to take an active part as the agent of the British Government, for effecting the abrogation of a system so revolting and detestable." At first, the humane attempt, Major Walker wrote, "in restraining the superstitious and religious prejudices of a tribe so far removed from the authority of the British Government and so little acquainted with the principles of improved society, will not be successful, but he most zealously, powerfully and judiciously seconded the views of Government by conducting an extensive and elaborate correspondence and using every philanthropic argument with the Jadejas—the principal offenders. His enquiries and negotiations brought the singular benevolence of his own heart into the fullest operation, and on the 15th March 1808, he was able to report that the Rajput chiefs had covenanted for ever to abandon the custom to which they had been so long devoted." The result of Major Walker's labours forms 2 volumes of selections published by the Bombay Government in 1855. Sir I. P. Willoughby, Bart., a name not unfamiliar with the Political, Judicial and Educational movements in this Presidency, carried out Major Walker's intentions adequately during the time he was Political Agent in Kattiawar, and his report, dated 24th September 1834, contains a luminous account of the subject, and the various stringent measures adopted by him to abolish the practice. On one occasion, the Thakore of Rajkot was tried and convicted of the crime and fined Rs. 12,000, it having been found that he was accessory to the murder of a daughter, and bound over to observe his engage-

ments. A Jadeja named Viraji of Kharisra was sentenced to undergo imprisonment for two years, and to furnish security that he would never again be guilty of infanticide. Rewards and pecuniary aid were offered to those who preserved their female infants. To the Thakore of Morvi presents of the value of Rs. 2,000, were given in open Darbar, for removing infanticide. The Chief appreciated the honour done to him and promised to adhere to his father's engagement as it was a sacred duty, '*dharm nò kám.*'

Ever since the successors of Willoughby—Lang, Blane, Malet, Forbes, Jacob, Barr, and others—carried out Walker's settlements, and the name of "*A. Walker*" is cherished as the saviour of a numerous race of helpless innocents to this day.

So that it will be seen with reference to these two most detestable evils—Suttee and Infanticide (and they are not worse in their results than infant marriage and enforced widowhood)—that Government *did* interfere, and with the best of intentions. The cunning and rapacity of the priest, the intrigues of the low and uneducated, will always succeed unless the Supreme Government comes to our aid at this crisis of the history of a fallen country. The abolition of Suttee, says Mr. Hunter, "was a great boon to the land. That it was proper for a Governor-General to put this down *by force* was evident. To take part in Suttees was to take part in atrocious murder, which no plea of conscience could really justify before God or man. But as the Hindus could not see this and might have made commotion and occasioned bloodshed, when forbidden any longer to commit the cruel crime, it required great *firmness* in Lord Bentinck to say Suttee should be allowed no more. He accordingly invited the opinions of a great many people, Europeans and Natives, as to the practicability of peaceably terminating the inhuman custom. Many were afraid it could not be done; and even reformers quaked a little and suggested that the experiment might be tried first among the Bengalis and not among the warlike races of the North-West. Lord Bentinck did not listen to this injudicious advice, but at once prohibited the custom everywhere, and in the kindness of God no out-break occurred." The representatives of the Supreme Council may well pay attention to this extract. It seems to me they had not ransacked the archives of the Bengal Secretariat before they sent their replies to Mr. Malabari. At present Hindu society is in a state of dormancy, it is by extraneous efforts of philanthropists, whose hearts writhe in agony at the sight of customs so repugnant to human nature, that a beginning could be made. Happy will be the day in the social and moral history of India, when these dark spots are effaced from its pages.

First and foremost is needed Government action, next comes the establishment of Associations in particular centres, such as Rajkot, Kutch, Hyderabad, Surat, Ahmedabad, Nasick, Poona, Belgaum, Kolapur, Baroda, Satara, Ratnagiri, Nagpur, Ahmednagar; let the services of enlightened men—be they graduates or not—who either hanker after Government service, or fritter away their time in frivolous pursuits, be enlisted for the promotion of the cause in question, and let them be suitably paid by Government from the Provincial Fund, which every year leaves a large balance. Let our highly paid officers, such as the Sanitary Commissioner, Surgeon General, Commissioners of Divisions, Directors, Collectors and Inspectors, who move from one district to another every year, make it their business to bestow attention on the subjects under advertence and submit periodical reports for the information of Government and the criticism of the Press. Let His Excellency the Governor hold Durbars at different places and impress on the audience the importance of the topics under discussion. Let the titles of Rao Sahab, Rao Bahadur or C. I. E., on these occasions be fittingly conferred on those who do practical good to the country and its people. There should be also large gold and silver medals presented to such individuals in public Durbar—all these things would redound to the credit of the Government. The University by the new Act I. of 1884, recently passed, should, by the hands of its Chancellor or Vice-Chancellor, confer on such deserving persons the Hon. degree of Doctor in the Faculty of Law. From all sides, in the several Departments of the State, there should be activity shown, and whether an individual is a conciliator or Municipal Commissioner, a Corporator, an Inamdar, a Sirdar, a Khot, or a teacher, he should be encouraged to forward the cause. How was compulsory vaccination introduced and legalised? It entered largely into the religious prejudices of the people of all castes and races, save European. How was the Brahmo Marriage Act of 1872 passed amidst tumultuous protests of all orthodox Hindus? There was no *concordat* in these cases, so far as I am aware. This indifference is a sign

of Anglo-Indian weakness. One cannot please everybody ; it is impossible. But come what may, let us do what is right. The Queen-Empress now rules over the destinies of so many millions of souls. The sceptre of India is in the hands of the *Paramount Power* ; if England abolished slavery in Africa, America and India by a heavy ransom, if it has inaugurated other projects under Her Majesty's beneficent rule, extending over 47 years, surely the task of introducing the reforms under notice is by no means an impossible task. I pray fervently that the day may soon dawn when the unfortunate creatures concerned will be emancipated from the thralldom of superstition and be free from a debasing bondage. If public men in India feel a sort of compunction or delicacy in rescuing them from the present state of misery, I appeal to the benevolent ladies of Great Britain—the Nightingales, Collettes, Cobbes, Daweses, Faithfuls, Couttses and others, to come here united in an army, and enter into the spirit of the subject under consideration, with persons on the spot and devise schemes for the absolute extirpation of the evils under which their Hindu sisters are suffering. Assist Mr. Malabari in this just and righteous cause, and God, in His infinite Mercy and Goodness, will crown your efforts with success.

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From DINSHA ARDESHIR TALEYARKHAN, Esq., Municipal Commissioner,—dated Baroda, the 28rd August 1884.

MY DEAR MR. MALABARI,

I have to thank you for sending me your highly suggestive Notes on "Infant Marriage and Enforced Widowhood in India." I am so glad you have invited the views of practical administrators and experienced and public spirited men on these questions, which have for years occupied my attention whenever I had leisure for their consideration. The curse of the prohibitory usage in respect of the remarriage of Hindu widows has always had my serious thought, and I have, hence, now and then used the Press in calling public attention to some effective measures of reform wherewith the said evil could be mitigated. I should have gladly sent you with this letter at least two of my papers, which the *Times of India* at one time and the *Indian Daily News* at another were good enough to publish, but that these copies are just now not to be found.

You will thus find in me one of the humble, but staunchest supporters of such measures as would meet the very correct and sympathetic ideal which the Hon'ble Mr. Gibbs has aptly set before us to be carefully kept in view in entering upon the struggles against the rotting social system of the Hindus, which, if it wants any special cure, only wants a careful and gradual cure.

I have been most wary when dwelling on old social disorders in India and suggesting any change or remedy for them. And yet, occasionally, I have half suspected myself of having a little overhit the evil. I cannot, therefore, unreservedly agree with the proposal that early marriages can be practically discouraged by the fiat of school masters and office-holders.

Not unless the native society can be changed, like the pattern of a dress or boots, will our Hindu brethren cast off any of their old institutions. When we wish to modify any of them we must first learn to examine with *their* eyes, and not *ours*, and then point them out means of reform *which would take hold of their hearts*. Our English ideas actually jar with their sympathies, the antipathies, and all the important affections of their heart and head. The boys and girls have no world of their own, which we delude ourselves by believing they would have as soon as we give it to them. They are the creatures of their parents brought up in the time honoured instincts, associations and motives of caste organisms.

We cannot ostracize the boys or the girls for being under the control of the parents, or the caste to which they belong. The caste organisms are, as you know, numberless. The economy of any one is different from that of any of any other. You cannot change any of its component parts without upsetting the whole organism. The number of girls in a caste may be so limited, while intermarrying into another caste, however little its creed may differ from that of the former, would be out of question, that no choice would be left to the parents of the boy but to accept a girl hardly seven or eight years of age, or even less. The ruling of some castes is that their spiritual leaders cannot declare the period of the marriage season, but at the interval of some years. In one instance, the period is so much as 12 years. The declared period alone can be availed of for marriage celebrations. Thus if a girl was only 4 years old, she must be married at the very first

declared period ; for let go that period, and lo ! she would be 16—a horrible purgatory according to the *Shastras* for the parents to keep her unmarried to that age. In fact it would not be a *kunia-dan*, but *stree-dan*. The former can be consummated at the very most at 11. Long before the age of puberty is the girl to be given away to her parents-in-law. In the *Shastras* the father is made to address the father-in-law of her daughter, on giving her in marriage, thus :—“ I have brought up this girl for 8 years like a boy. I now give her away to your son : treat her with affection.”

It is instructive, in some special manner, to observe how from a very old age the Hindu religion has enjoined not to keep a girl unmarried even at so small an age as 8. Puberty sets in among Indian females generally after 11, when any marriage is considered unholy. You have at once a formidable fact to deal with in the insecurity and abhorrence felt by parents in keeping a girl unmarried till, or some time after, she has attained puberty. In this respect efforts of generations will be necessary before we can reach that highly developed, yet so sweet and simple a domestic science of English homes, where you find so many means of congenial training and culture at work, even after the blooming, cheery maids pass their “sweet seventeen,” that a conjugal tie before that age is hardly a national thought.

Admit for argument's sake that schools and public departments can employ measures to check early marriages, but how can the early marriage of young girls be checked ? When girls are scarce in any caste, a grown up youth or an elderly man will not grudge to have the smallest girl in marriage. In fact she would not be within reach without a large dowry ! In a railway train, some time ago, I came across a high caste Hindu gentleman, certainly much over thirty, in company with a girl hardly 11, who was his wife—thin and pale beyond description, and a figure of lean flesh and nominal bones which folded up and fell into deep slumber as soon as the carriage moved. It perplexes me often to know how a renovated spirit can be inwardly induced to mitigate premature womanhood and not omitting such manhood too—and, and next to generate a manly feeling among natives torn by thousands of jealous and exclusive castes in respect of eschewing child marriages, as Englishmen or most of the Continental people do.

When a time comes for the abolition of early marriages among the majority of Hindus, then a good deal of their caste sub-divisions will have disappeared—at least their sharp and abrupt angles—and a spirit as broad and sensitive as that now pervading the Parsi community taken the place of the present timid and tottering one, which would naturally take more time for its complete overthrow. The fast manner in which the custom of early marriages is now practically discarded by Parsis forcibly points out the efficacy of a reform which is naturally evolved out of the people themselves, instead of being forced from without. Your efforts will be remembered so far that you succeed in stirring up a similar spirit of evolution in the leading classes of the various communities of India. In this light I beg leave strongly to recommend the pointedness of suggestions made by the Hon'ble J. Gibbs and Sir A. Colvin for the benefit of the Indian people, as also the wholesome advice tendered us by the *Times of India* (Vide the issue of the 21st instant).

The task of attempting to stop early marriages indiscriminately in all castes is sure to be unwieldy, and must fail. First of all the communities which have favourable conditions for accepting the change, ought to be taken up. These conditions would probably be :—(1) sufficiency of girls ; (2) contiguity to the civilized influences of leading men or the personal earnestness of officials ; (3) prevalence of child widowhood ; (4) adaptability of the members to be impressed with practical facts, indicating the actual good or evil of the community ; (5) possibility of the literate and religious classes adopting the eloquence and leading of practical men of education. It is undoubted, therefore, that only one sect can be reached at a time, and the one presenting the most favourable conditions. But the most pliable of the sects can also follow each other, if the respective leaders exercise a steady and moderate pressure in their own spheres. The action should not be overdone, for it then must end in smoke. The people who are the very worst in a wordly sense, and who may be open to respectable influences, should alone be first dealt with. When the evils are not such as would be acceptable by the rude, yet, mind, quite shrewd and immovable sense—as it usually is—of the native community, all the eloquent sentiments paraded will only be chaffed at and forgotten as soon as they have ceased listening to our fervour of patriotism, which cannot easily enter their commonplace, contented lives.

It is best to point out an instance or two of what innate forces have the power of effecting, which no amount of refined talk would ever be able to bring about. In certain parts of Kattywar one of the Wania castes has bound itself by its own voluntarily framed rule not to give any girl in marriage before she is eleven. It has had a natural, solid basis for this really wholesome prohibition. Somehow or other the minds of these caste people were touched by a number of child-girls having become widows before this caste *bundobust* was adopted. Again, a sect named Rackwal Brahmins, through the exertions of one of its influential and enlightened leaders, has recently entered into an agreement not to permit a boy being given in marriage unless he is 16, and a girl unless she is 9. In the case of the former there is an extra provision that the boy should have had an education up to a certain standard before the marriage would be allowed.

The theory of the method by which matrimonial alliances should be consummated may be looked into for a moment here. That alliance is no doubt theoretically the best, which is entered into between a youth and a girl of an advanced age—the minimum limits of age being 18 or 19 for the former, and somewhat less for the latter—of their own accord as closely but reasonably guided by the experience of the parents. Now it is well-known that such matches do not prevail among the Hindus. And yet it is a wonder how this nation has succeeded for ages in preserving such a marked harmony of their homes. This widely felt result must form an important factor in considerations involving a change. If we have weakly children the homes at least are happy, contented, well regulated and economical. We must be careful in not losing this natural feature, while we cautiously attempt to bring about a new good.

The same general principles and plan which I have above noted are applicable to the question of “enforced Hindu widowhood.” When we have less of infant marriages the woes of widowhood would in that proportion be reduced. But still the main portion will remain. Sins and sorrows cannot entirely be banished from this frail world, but here is an instance, in the persons of poor Hindu widows, of the concentrated force of all that is evil. So far back as 1873, I publicly solicited the native members of the Legislative Council at Bombay to take steps for having a protective legislative measure passed by which a Hindu widow, if she remarried should not be allowed to be persecuted by caste in a manner that she may suffer either in person, reputation or property, the same protection being extended to the male person who married her. If the present state of law be such as would not protect the persons obeying the ordinary impulse of nature from the vindictive, however time honoured, usages of their caste people, then I can hardly see any social or political ground to refuse redress of a legitimate grievance. If the law protects a person from being abused, slandered or assaulted, why should he not be equally protected when tyrannically excommunicated? A caste excommunication implies a far greater injury to the reputation, health and property of the person, when outcasted, than when he or she is abused or slandered. The prohibition of remarriage not being warranted by any law, secular or religious, on the contrary as remarriages fall quite within the limits of a natural law, the said prohibition ought to be allowed to be legally disregarded. The remarriage of widows being thus a perfectly lawful act pursued in the very best interests of the society at large, all contumacy employed in directly attacking the wholesome freedom exercised ought, I think, to be treated as penal. We should not forget that there are many drawbacks in our social constitution for which there can be no legislative remedy. In reference to the various castes interdicting the remarriage of widows, they are completely out of the domains of ordinary social brotherhood and have been simply attacking the law of the nation. If A, will not give the usual feast on the celebration of his son's marriage, it being a perfectly social and reciprocative act, the caste people would be warranted to fine or outcast him for a time. But supposing B, or an organized body C, compels D, one of their own, to remain without food from day to day, that act of B, or C, is as legally cognizable as the act of a community excommunicating a widow for fulfilling the lawful and natural function of marriage. There would be no end of distress if any person can feel himself authorized to starve another. And yet the law is helpless in the case of millions of Hindu widows, most of whom would re-enter married life and put a stop to endless crimes but for the terrors of criminal caste persecutions.

I hope now to have been able to show a practical method of relief in the interests of the poor widows. Legislative interference would be clearly necessary in the case of



obstinate castes who may not yield to persuasive methods. As in the matter of early marriages, so in this, I would take up the question of every caste separately and study the extent of widowhood prevailing therein, what facilities it offers for its removal, and the amount of good thereby calculated to be produced. While adopting the same measures for inciting each of the important castes to throw off the harsh usage, I would prepare a community or two to apply to Government to render widow marriages as innocuous as the ordinary marriages, the law not being so perfect in the former case as it is in the latter. Supposing any of the caste ruled to-day to excommunicate particular persons who consummated even the primary marriages, they would receive substantial support from the law of the land. In the other case the potency of the law which inherently exists, has simply to be declared, which our leaders must now try to get done in respect of a place and people carefully chosen. If a community cannot always manage to go on without claiming for itself a special Bill for inheritance and succession, there are much stronger reasons to invoke the aid of the Legislature for preventing widowhood, when it could not be well done with single efforts. There will be a clear case for calling on the Government to interfere in the interests of humanity itself when a caste, often spoken to and exhorted on the subject, is found too large and unwieldy to yield to the efforts of individual citizens, who first strengthened themselves with actual facts and conditions, and then pursued a clear and definite aim of removing the public mischief. It is no doubt our imperative duty at first to apply our own shoulders to the wheels of the cart stuck fast in the mud, and then we may safely calculate on receiving every reasonable help from the humane British Government. Some years ago, I also placed before the public a suggestion to open houses for unclaimed offspring at thickly populated places for the sinning widows to place therein their illegitimate offspring, so that infanticide might be checked. But I must now bring this paper to a close, for it has reached its usual limit, and I have had but little leisure to deal with the important questions, on which you have been good enough to ask my opinion, more completely, which I should have done if I had more time.

In conclusion, I hope, on making the first start in the important matter you have taken up, you may succeed in getting one or two, or more, really efficient associations started to put the suggestions made in a working order, for the purpose of acquiring actual experience. I need not say I shall feel happy to render any assistance I can to these associations when started.

Yours Sincerely,

D. A. TALEYARKHAN.

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From T. B. DANI, Esq., Editor of the *Arya Vart*,—dated Dhulia, the 25th August 1884.

DEAR SIR,

It is with the greatest interest and deepest concern that I have been reading the discussion about the two serious evils which, if not remedied in time, are sure to destroy the vitality of the whole native community of India. I allude to infant marriages and enforced widowhood. Some, whose opinions are no doubt entitled to great weight, have maintained that legislation in any shape is either impossible or impracticable. They have suggested that a greater spread of education and the united efforts of the learned portion of the community are the only remedies under the existing state of Society. But both of these remedies appear to me to be altogether insufficient for the purpose. In the first place it is impossible for education to spread to such an extent as to remedy the evils before an utter destruction of the vitality of the whole community is made. It is a well known fact that females have a greater voice in the matter of marriages and that almost all females in the country are illiterate. There are millions and millions of males who are still illiterate. A greater portion of the educated members of the native community follows their old practices and customs in these matters. It is evident, therefore, that the remedies that have been suggested from some quarters are not adequate.

It is true that such deeprooted prejudices cannot be removed within a day; but have not the evils existed sufficiently long? Have they not done sufficient injury to the natives of this country? Has not the time arrived when Government should interfere, and give such assistance as it is open to it to give, with due regard to the interests of the State? It is needless to point out that excommunication from caste is not only considered by the natives as the severest of all punishments, but it is really so; and it behoves

Government to see that such a punishment is not inflicted without sufficient reasons. There are numerous instances in which property is extorted by threats of excommunication from caste, and since the decision of the Bombay High Court in a recent case (*Reg. v. Alja Dharma*, decided on 17th August, 1870) such an act does not amount to an offence under the Penal Code. Such sentences are passed by caste bodies under an implicit confidence that, however illegal or unjustifiable their actions might be, the aggrieved party shall be given no redress by the Courts or any other Government officer. It is, therefore, I apprehend, the duty of Government to legislate with a view to put some restraint upon the power of caste bodies to pass a sentence of excommunication; and that can be done by enacting that if anybody is excommunicated without any reason whatsoever, or for having done an act which is not prohibited by the Hindu law or by any usage or custom such as is capable of being recognised in a Court of justice, or for having omitted to do an act which he is not required to do by Hindu law or by such usage or custom, the person or persons passing that sentence of excommunication shall be liable to punishment. If such a clause is added to the Penal Code, I believe it would assist the cause of widow marriage to a considerable extent, because such a marriage is not prohibited by the Hindu law, and no usage or custom prohibiting it can be successfully proved in a Court of justice; and even if such a custom is capable of being proved, the orthodox and illiterate would never think of undertaking the risk of a criminal trial. With regard to infant marriage such a law would have no direct bearing upon it, but it would indirectly mitigate that evil, to some extent at the least. The two evils are connected with each other, and the one owes its origin partly, if not wholly, to the other. In addition to the legislation suggested above, if the Government in its executive capacity and the Universities make it a rule not to allow a man who has married before a certain age to enter Government service and the University examination, I doubt not that the desired aim will be attained.

Yours very truly,

T. B. DANI.

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From GOVIND W. KANITKAR, Esqr., B. A. LL. B., Mamlatdar of Kher,—dated the 9th September 1884.

MY DEAR MR. MALABARI,

Your Notes are conceived in a proper spirit, and although I do not of course approve of every word you say, still upon the whole my views on the important subject agree with yours. I believe that both are great social evils to which the attention of the educated amongst us is not seriously directed. There is unfortunately too much indifference or apathy about the matter on the part of those who can and ought to think for themselves. The force of custom is too vast. People naturally cling to the manner of life to which they have long been used and come to look upon that as the only natural condition of mankind. It seems to me that the Legislature can very well set at nought the alleged privilege of the father or the guardian of a young girl to give her in marriage to anybody he likes in order to serve his own selfish ends, as is frequently done.....As for enforced widowhood, every hour of the day I think of the helpless condition of our widows. At one time, our people were taken by the "burning question of the day," but gradually the survival of the strongest (in number and ignorance and superstition) took place. The leaders of Widow Remarriage agitation failed ignominiously. "It is a mistake to trust entirely to the educated agency." You are quite right in saying that. I am afraid a reaction has taken place—and the "Societies and Associations" you speak of have been slumbering, leaving their objects to be achieved by the mere force of circumstances and to the current of Time, in utter hopelessness.....I think *enforced widowhood* and *child marriage* can be prohibited by the Law on the very same grounds on which *infanticide* and *Suttee* were put down. But the difficulty is, how can you compel widows to remarry? This is a case in which public opinion and established custom are everything and the Law is nothing. The Law might very well fix an average limit of a young man's or a young woman's life under which marriage should be strictly prohibited. For instance—it might be enacted that no boy shall be married before he is 16 years of age—or no girl shall be married before 14. I merely give you the form and no accurate or well thought rule of law. But something of that kind may be done. On the other hand you will consider how, since long, a reaction in the thought of the present generation has taken place, and people do not now agitate much for unpractical reform,

or at any rate for what they consider as such. In the first place no one now begins a reform, but if some one begins it, others hesitate much before they follow—and in a majority of cases they do not follow well, but allow him who has taken some steps to go on further alone. For instance, the victims of the agitation for widow remarriage (the cause has, as I consider it, now nearly died out and people are cold and indifferent) are leading their lives in social alienation like converts to Christianity. They are considered as a caste by themselves. The faithless leaders of the agitation gradually proved false to the standard they had raised. Widows are just like other women—both are alike under the subjection of men.

Yours Sincerely,  
G. W. KANITKAR.

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From VITHAL K. SHRIKHANDE, Esqr., of Hyderabad College,—dated Hyderabad, the 10th September 1884.

DEAR SIR,

As regards widow-marriage, I have to state that I am in favour of it. I do not quite understand what you mean by saying that you do not approve of widow-marriage under *ordinary* circumstances. I am, however, glad that you are not wholly opposed to the proposed practice. Absolute happiness is an impossibility in this world, and widow-marriage is simply an attempt at partial relief to all suffering widows. By introducing this practice, we are not going to force widows to marry again. We are simply making their widowhood optional. If they want to marry, they are welcome to do so. The law will not prevent them from carrying out their choice. At present the sufferings, to which our widows are subjected, are simply heart-rending, and it would be sheer cruelty to refuse relief to the wretched victims. The present condition of Hindu widows is a deep blot upon Hindu society. While a man, whether young or old, can marry as many wives as he pleases, either one after another or simultaneously, a woman, if she happens to lose her first husband, is prohibited from marrying another. This is certainly an act of flagrant injustice. It is true that what I have stated above will not find favour with the orthodox community. But we need not be afraid of them, because we have the enlightened British Government to assist us against any unreasonable opposition in the part of the orthodox party. That party, as Mr. Ranade says, has lost its life and can initiate no reforms. It is strong in its own way, but if we act a little cautiously we shall succeed easily. In conclusion, I have to thank you for the interest you are taking in the well-being of the helpless creatures whose lot we all bewail. No efforts will be spared to spread your views in this part of the country, because here, too, the marriage custom is as bad as it is elsewhere.

Yours very truly,  
V. K. SHRIKHANDE.

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From RAO BAHADUR SIRDAR GOPALRAO HARI DESHMUKH, late Joint Sessions Judge and Member of the Governor's Council, Bombay,—dated September 1884.

MY DEAR MR. MALABARI,

.....I think Dewan Bahadur Raghunathrao has satisfactorily proved that widow marriage is perfectly legal.....With regard to your paper on the evils of infant marriage and enforced widowhood in India, I think you have dealt with the subject ably and admirably. It will do a great deal of good, by promoting discussion on the subject. I think some action on the part of Government and the Universities is most necessary. Matriculation or degree examinations would, if limited to bachelors, go a great way to prevent early marriages.

It has become a point of honour in Hindoo society to keep widows unmarried. Those that keep their widows in this state are considered of the highest and purest caste. Within these fifty years many lower castes have given up re-marriage simply to approach the Brahmins. No reform can be carried out unless some political influence is brought to bear upon it. The history of the world shows this very clearly. If Government had not stepped in and prohibited *suttee*, infanticide, suicide, self-inflicted tortures, &c, we would have seen these cruel spectacles to this day. The reason of this is that for the last 2,000 years Hindoos have lost the power of reflection, and even that of following or imi-

tating what is good. They have lost also the power of union, and I do not think that reason has sufficiently revived except among a few educated individuals. The masses still grope in darkness. They are bound to their customs and the foolish teachings of their priests. It must not be forgotten that priests derive a very large benefit from perpetual widowhood. A widow thinks that her misfortunes arise from her not having attended to religious duties in former lives, and therefore she must devote her time and wealth to pilgrimages and so on. The wealth of most widows is devoured by priests. It is the widows, rich and poor, who maintain priesthood in luxury. Many think that they do not want the lead of the British Government, but they forget that without such lead they would be perfectly lame and cripple. Hindoo society has not come to that stage of civilization in which they can work out their own reform. Some conceited souls think that they and their countrymen have become highly elevated and civilized. They are much mistaken. They think that they should be independent of the Government in matters social and civil, but in my opinion the time is very far yet when the Hindoos will be a thinking nation. We see many parents not only content with imposing the vow of chastity upon their daughters (widowed), but they shave that girls at the tender age, and deprive them of all ornaments and decorations, and keep them half-starved throughout life. They are particularly deprived of all privileges of attending marriage and other religious ceremonies. Their appearance on festive occasions is considered an ill omen. In all higher castes the treatment of widows is very cruel, especially among Rajputs, Khattris, and Banias. They vie with Brahmins in treating widows with great cruelty. The wonder is that they do not think that it is cruelty, but they think it is virtue and piety. The widows are made to sit in one dark room for two or three years, and I have known of a widow who did not leave her room for more than thirty years and was considered a living *suttee*.

With regard to early marriage, I consider it a most pernicious custom which makes the nation very weak. It is necessary that in a country there should be a number of bachelors who would venture upon enterprise, foreign travel, &c. What makes Hindoos so feeble is the custom of early marriage. They have hardly strength either to become soldiers or to cultivate land or to go for trade to foreign countries. They are unfit as colonizers. Every man has a family. Even little boys are burdened with wives and children. A girl cannot be kept unmarried beyond ten years: hence parents are very anxious at any cost to get her wedded even to an old man or a sickly youth. The consequence of this is that the race is being gradually deteriorated. Children die soon, and there are more widows now than there were fifty years ago. The evil is very great, and is corroding the very vitals of the nation. But there is no hope of any improvement unless Government step in to discourage early marriage, by giving preference over a married candidate, to a bachelor, in filling up the place in their gift, and unless the University brings its influence to bear upon the subject by shutting out married young men from the Matriculation examination after due notice of five or six years. Female education is a great means by which the status of women will be established. At present women have no status in society, and they are made to give a silent consent to all cruelties.....The only means of preventing these cruelties is to promote education in general and female education in particular, and to apply political influence as far as it may be reasonable.

Yours Sincerely,  
GOPAL H. DESHMUKH.

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From D. LASMANDAS, Esqr., Sub-Judge at Larkana, Sindh,—dated September 1884.

DEAR SIR,

.....I quite agree with the observations made by you, and I heartily sympathise with you for the noble task you have taken in hand and which, I have no doubt, will bear fruit in due time. But I might, with your permission, state that the time, viz. five years, proposed by you, restricting a married boy from going up for the University examinations is, in my humble opinion, too short.

Yours truly,  
D. LASMANDAS.

From N. C. BISWAS, Esq., First English Teacher, Government Model School, Calcutta,—dated September 1884.

MY DEAR SIR,

In Bengal infant marriage is countenanced by low-caste Hindus. This abominable custom, I am happy to say, does not now-a-days suit the taste of the upper ten of the Hindu community. And as the low-caste Hindus are too conservative to do away with it, I think Government interference might do good. As regards the last para. in your Note on Infant Marriage, wherein you call attention to a certain objectionable form of marriage, I beg leave to state that this practice is almost entirely confined to —, —and, if I mistake not—. It should be put down with a high hand. It is more pernicious in effects, both physical and moral, than early marriage.

As regards Widow Marriage, I think I shall be doing justice to my poor sisters by the advice to my countrymen :—Let those widows remarry who will; let not those who will not. But a girl-widow should be remarried by all means. In this direction we should depend more upon society than Government.

Yours very truly,  
N. C. BISWAS.

From RAO BAHADUR MADHAV N. SHIRGAONKAR, Joint Administrator of Miraj,—dated Miraj, October 1884.

MY DEAR MR. MALABARI,

I think the community is under deep obligation to you for ventilating the subject in so earnest a manner. The evils arising from these customs are patent to every one who has devoted some time to their consideration. Infant Marriage can be put down without undue difficulty, but the big monster, Enforced Widowhood, will not die without tough fight for years to come. I think it is in the power of every one to take a pledge not to get his daughters or girls under his guardianship married under 12 years, without subjecting himself to excommunication. Considering the present circumstances of our community and what we see in non-Hindu classes in India it will not be prudent or safe to exceed the limit for the present. If we gain so much it will not be little, for it will save many girls under 12 years from early widowhood. I do not see any reason why other communities like yours, who are not prohibited by their religion from keeping their girls unmarried to any age, should follow higher classes of Hindus and encourage Infant Marriage. Are there not people in your own community who loudly complain of the results of keeping their female relatives unmarried beyond a certain age owing to exorbitant amounts of dowries demanded by bridegrooms? I condemn infant marriages not because I think that they afterwards prove unhappy—which statement I will not accept unsupported by statistics—but because such marriages increase infant widows, and the issues of such unions are not such as they otherwise would be if marriages take place in mature age.

Our community is not of so recent a date or so limited or compact as yours, and yet you have not been able to get rid thoroughly of the stupid customs of covering the heads of females with a piece of white cloth or of besprinkling their persons or clothes with cow urine. I hear it has become a fashion with Parsi gentlemen or bridegrooms to demand enormous dowries from the parent of brides. The amount demanded is so very exorbitant that many Parsi gentlemen find it difficult to get their daughters married.

If compact new communities, which are of yesterday when compared with the antiquity of Hindus, and which are not fettered by immemorial customs and religion, are not able to effect reforms in such trifling matters, it is too much to expect conservative Hindus, within 50 years from the commencement of higher education in this Presidency, to abandon their deep-rooted customs with post haste. I do not write this with the object of offending you, or in defence of these pernicious customs, or with the view that they should be continued, but with the intention of showing that although some of the educated Hindus are as much alive as your good self to the evils of infant marriage, or enforced widowhood, it is not in their power to effect these changes, however good and desirable they are, with such haste as persons not acquainted with our difficulties desire. Compared with uneducated masses, the educated Hindus are but a drop in the ocean. Small as this number is, it is not united. Some of them are

as much averse to any reform as the uneducated masses. With an enemy in the camp this small knot of educated Hindus have to fight a combination of enormous hostile forces. If the former have not been able to win a victory over the latter, it is not entirely their fault. It is not the want of perception of the evils in all their phases, or zeal for eradicating them, but the want of readiness in the masses to receive the change, that has contributed to the defect. No reformer, however ardent he may be, will be able to do much if the people surrounding him are not in a position to listen to him, or incapable of appreciating him. Every reader of History knows that Wycliffe was as zealous a reformer as his successor Luther; but the former failed, while the latter succeeded. The cause of the former's failure was that he was too much in advance of the age, and the secret of the latter's success was that the people surrounding him were more prepared than in the time of his predecessor.

Unless the eyes of the masses be opened to the evils arising from these pernicious customs, they will not listen to the discussion of the remedies, much less to their adoption. The only way of effecting this is the spread of education, which I consider is the great reformer, and it is education alone for the present, that we should look to with safety for bringing about this change. This change will, no doubt, be very slow. But it will be gradual, sure and firm. "Rome was not built in a day." So Hindustan cannot be reformed in half a century. I stoutly deprecate any direct or indirect interference on the part of Government. The high Government officers who have rejected (!) your proposal for intervention have displayed greater knowledge of the country and its people than many of us.

I cannot conceive your object in circulating the printed Notes among high European officers at Simla and other places. It would have been better if you had put them in vernacular and circulated them among the people whom they affect.

Yours Sincerely,

M. N. SHIRGAONKAR.

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From Colonel E. W. WEST, Political Agent, Kathiawar—dated Rajkot, the 31st August 1884.

MY DEAR SIR,

I have to apologise for not replying sooner to your note of the 17th instant with its accompaniments. Believe me the delay arose from no lack of interest in the questions you write about so forcibly, but from sheer lack of leisure. I am afraid I come under the category of those whom in Note I. you term "benevolent Let-alone-ists;" for, while I think that even your powerful pen has failed to describe fully the miseries that arise from infant marriages and enforced widowhood, I still hold that reformation must arise from within and cannot be *enforced* directly or indirectly from without. I know well the miseries of these infant marriages. I have seen often puny striplings the fathers of still more puny and feeble offspring, and I have, on various occasions, tried to impress on my Native friends that one reason for the energy of the Teutonic races may be found in the practice which Tacitus remarked many centuries ago "*Sera juvenum vennis adeoque inexhausta pubertas.*" I have known many cases of old men marrying girls not yet emerged from childhood, and it needs but little knowledge of human nature to realise the misery during the husband's lifetime, and of Hindu ways to realise the misery after his death, of the girl. When I have referred to such cases in conversation with Native friends they have always been ready to acknowledge the wretchedness that such customs produce, while they invariably deplore their inability to deviate from custom.

You suggest that Government should help by ruling that after due notice given no married student should be eligible for University examinations. If, however, Government is to interfere in the matter, let it interfere directly. Anything would, in my opinion, be better than trying to bring about effects by side wind. The indirect measures you advocate would simply expose the Government to misrepresentation and obloquy and give rise to false certificates and evasions. In fact, they could only be forced by inquisitorial enquiries into private matters which would be bitterly resented. No. If the Government is to interfere, it would be best to do so by legislative enactment that marriages are not to be contracted by parties under certain specified ages. But Government could not do so except on the motion of the whole Native community or at least of the leaders of each section of that community, and even then the suggested enactment would do

nothing to check those infamous marriages of old men with young girls. Legislation too far in advance of general Native opinion is apt to be rendered futile. Witness the very Act referred to by you in Note II. It is a *brutum fulmen*. But why? Because Native opinion, operative opinion that is, is against it and declines to use its provisions. I do not think you are quite right in saying there is "a conflict between State and Caste" in this matter. The conflict is rather between reformers and anti-reformers—the former of whom fail to make use of the assistance lent to them by the State.

I would say to those Native gentlemen who, like yourself, have the good cause at heart: give up looking for aid from Government till you have educated public opinion sufficiently to enable the Native community to call for legislation which Government will gladly go in for in answer to a popular demand. Strive in every way to educate public opinion, by pamphlets, addresses, appeals to Native Chiefs and the like. Every Englishman will sympathise with you and stand up on the platform with you when asked to do so. But above all it is necessary that the advocates of reform should have the courage of their opinions in deed as well as in word. If those who oppose infant marriages allow them in their own families, if those who advocate widow remarriage shrink from practically exemplifying their belief in their views when an occasion offers itself of practising what they preach—such men do more harm to the good cause than the most bigoted old-world Pandit that overpinned his faith on a literal interpretation of the Shastras read through the spectacles of established custom. Any such instance is quoted by the anti-reform party as a proof of the unreality of the movement, and the mouths of those who hold that the movement is real are stopped. Resolutions at public meetings are useful when those who vote for them mean to act up to them.

I fear you will possibly think me hard and unsympathising, but I can assure you that my heart burns in me, and that I have for many years past thought with pain and sorrow over the evils you so graphically describe. I fully agree with you as to their magnitude and I sympathise deeply with you in the noble task to which you have devoted yourself. The only point on which I am not in unison with you is the part that Government should play in the matter.

Yours Sincerely,  
E. W. WEST.

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From Khan Bhahadur RUSTOMJI KARSHEDJI MODI,—dated Surat, September 1884.

MY DEAR MR. MALABARI,

So many valuable opinions have been expressed on the subject of your two Notes, and so full the light thrown on it, that I find I have really nothing to add beyond an expression of hearty sympathy with your objects and a devout prayer to God for success to such a righteous cause. You know how strongly and decisively I spoke to you regarding it before ever your Notes were drawn up or the agitation took its present shape. Although we are Parsis, still none the less do we feel for the hard fate of our brethren of the Hindu faith; for I am proud to see that our community, more than others, has on every proper occasion exemplified in practice the truth of the line, which, with a profound discernment of the verities of life, says that "one touch of Nature makes the whole world kin." I do not agree with those who say that Government should not interfere in such matters by law. Law is but the handmaid of morality, and well-known instances have been adduced when its potential agency has been used with remarkable effect. It is such instances of decisive action taken by the philanthropic British Government which have endeared it to the people. If we have not the bold administrators of the old times of Company Bahadur, who were habituated to taking the bull by the horns, we have none the less wise, less able, or less sympathetic men at the helm of our affairs now; and if, as I take it, owing to the altered times, they desire that some august decree that they may shape should be broad based upon the people's will, let us by all the means in our power obey their call—let us move the whole country in such noble cause, from one end to the other, send petition after petition, and show, in short, by overwhelming proof what the will of the people really is. There is no doubt that legislation which is far ahead of the intelligence and active sympathy of a people, however righteous and well meant it may be, has many chances of turning out a failure. But, on the other hand, there is equally little doubt that where the ideas and practices of a community have of them-



selves, and unaided, attained the desired goal, legislation is too late, useless or nearly so. As has been truly said, the ideas and practices of a few advanced spirits to-day become the common property of a succeeding generation. The true function of legislation, I believe, is to discern the signs and tendencies of the times, and opportunely to put itself at the head of a movement when it commends itself to the light of right reason; to so gently, if possible, yet none the less decisively, shape its course, smooth away difficulties, and generally guide its action, as to accelerate the attainment of the end in view. All signs tell me that the time is now ripe or nearly so for a decisive *coup de grace* to be given by our enlightened and merciful Legislature to practices and customs which have no real foundation in Hindu religion, which are alike abhorrent to common sense and morality, are utterly prejudicial to the best interests of society at large, and which having already begun to give way and crumble under the silent but sure and powerful influence of public opinion, need but the necessary impetus of legislative condemnation to die the speedy death they deserve. However subtle and intangible the all-pervading influences of caste and custom may be asserted to be, their violation of the known law of fair human liberty makes them the proper subject of legislative repression,—nor do I see any valid reason to dread a failure, if the potential agency of the law should be put into operation against them with the necessary safeguards, which the circumstances of the case so obviously require. Whatever may be the truth about other questions, I am firmly convinced that the active interference of Government is imperatively necessary in the present instance, in the cause of progress and civilization in this country. If I agreed with those who hold that it is impossible to cope, by positive law, with success against the evil influences of caste and custom, I should be inclined to ask our Legislative Councils to give up all pretensions to law-making. But I have, on the contrary, a very high opinion of the ability of our law-makers to devise some wide-reaching and effectual remedy for a crying evil that is so universally admitted to exist. I would earnestly advise you not to let this useful agitation die out, but, by all the means in your power, to keep it alive—and God will certainly help your efforts.”

Yours Sincerely,

RUSTOMJI KHARSHEDJI MODI.

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From Mr. Serjeant ATKINSON of the Bombay Bar, some time Acting Judge of the High Court, dated—  
Bombay, the 23rd October 1884.

DEAR MR. MALABARI,

Your manly and powerful advocacy of the abolition of *Infant Marriage* and *Enforced Widowhood* has laid the people of this land, from one end to the other, of whatever creed or caste, under the deepest obligation to you. It may be, for the moment, a forlorn hope that you have so courageously ventured upon. But as it is as true in social and political reforms as it is in experiments in the mechanical arts and sciences, that disappointment is a result—often indeed a result little short of ultimate success: so in a crusade, as yours is, a crusade against usages at variance with the laws of God and man, success, in some degree, is with time and patience a certainty. In spite of the petrifying indifference of many from whom, in such a noble struggle, you had a right to expect something more than a lukewarm support, my advice to you is—persevere. And with the blessings of Heaven on your head, as its purity is in your heart, your cause will be known. Do not, I pray, despair.

“ Submit thy cause to Heaven’s indulgent care,  
 “ Though all seems lost, ’tis impious to despair.  
 “ The tracts of Providence, like rivers wind,  
 “ Here run before us, there retreat behind :  
 “ And though immersed in earth from human eyes,  
 “ Again break forth, and more conspicuous rise.”

Ever since the publication of your NOTES to that of the letter of “the fiery old *Rao Bahadur*” in the last number of the *Indian Spectator*, I have read everything on the subject that I could lay my hands upon: but in vain, as far as the discovery of a *satisfactory* remedy is concerned. The evil is universally admitted: but the remedy often falls short of its mark. The most striking feature about many of the remedies suggested is the want of the vital principle of practicability, in other words, the impossibility of reducing them all to practice, without producing as great an evil one way or the other. Only

second in importance to that negative quality is the fact that some of them attempt too much at once : in other words, attempt to effect *uno saltu* (which is but too often not reform, but revolution) what should be the work of Time. Reforms, as *Lord Bacon* says, should conform to the example of Old Father Time who indeed innovateth greatly but quietly and by slow degrees : and chiefly for the reason that he gives, because the least change in any part of a social or political fabric necessarily brings with it, more or less, some evil or inconvenience : not unfrequently much greater than human foresight could well provide against.

You will ask what remedy I have to propose ? After you have read my University Lecture on "*The Punchayet*," delivered in 1881-2, I will tell you. What I have to propose I believe to be a thoroughly *practicable remedy as far as it goes* : and that is the only merit I claim for it.

"THE PUNCHAYET" : this ancient and venerable institution is, in *this* Presidency, the mere shadow of what it once was. Notwithstanding, it is a tribunal of no ordinary influence. In calling it a *tribunal*, do not, I pray, misunderstand me. In *this* Presidency the law regards it as a mere private meeting of the Setts, or leaders of the respective castes, as contra-distinguished from a Public Court of Justice constituted by Royal Charter or otherwise. The Hindus and Mussalmans are guaranteed, by pledges the most sacred, all their customs and usages in matters relating to their religion, inheritances &c., but they are not allowed to be the ministers of their own laws in such matters. The Romans, as observed before, allowed in some of their distant provinces the native tribunals, as in Judea for instance, to administer their own peculiar laws in matters spiritual : but such is not the case here or elsewhere under the British Raj. There is nothing in British India, in letter or in spirit, answering to the Jewish Sanhedrim. All our laws, whether they affect Jew or Gentile, are administered by officers acting under commissions emanating from the Sovereign Ruler of the Empire, and in Her name, as the personage in whom is exclusively centred the whole executive power of the State. The Punchayet has of itself, in *this* Presidency, no *judicial* power. It cannot enforce, nor has it any process in *this* Presidency whereby any of its resolutions can be enforced. Even in the Madras Presidency where a shadow of its former self remains, its power is so trifling as scarcely to be worth noticing. Notwithstanding, its resolutions or sentences, as that of degradation or expulsion from caste and the like, are not unfrequently more terrible than any decree or sentence of a Court of Justice. Whoever can appreciate the effect of excommunication in the Middle Ages in Europe may be able to realise to some extent the effects of expulsion from caste here in our time, but with the exception of such a person, or with the exception of such as have been eye-witnesses of the revolting consequences on the spot, none can possibly realize them. So far do the facts exceed anything that fiction can invent ! Public opinion, it is true, brought to bear upon the Punchayet during the last few years, especially in and about the city of Bombay, has deprived it of some of its horrid *zulum*, but at times, we hear of and witness the most heart-rending scenes of affliction caused by it. An outcast is, as it were, a social leper. It is true that the supposed offender may, in general, (if there be the pecuniary means or the friendly influence to procure it), by penance, by payment of the penalty imposed or the like, obtain re-admission into the caste. But as long as the outcast remains in this "lupine state" (as Sir W. Blackstone describes "outlawry") such person is socially in a state of leprosy, and is avoided as a leper, is avoided, that is to say, not only by fellow castemen, but by the nearest kinsfolk ! Act X of '56, it is true, did away with the effect of Hindu widow remarriage, and degradation from caste, *as far as property inherited from her late husband is concerned* : still Brahmanism or Hindu priestcraft regards the outcast as *dead* ; for it enjoins libations to be offered to the manes, as if the offender were naturally dead ! If this be not priestcraft, what is it ?

Why this untoward state of things should have endured so long has perplexed me much ; for it is clear that unjustifiable expulsion from caste and the like are good causes of action in a Civil Court of Justice. And why the poor widow, amongst other sufferers from the tyranny and oppression of the Punchayet, who marries again, and who is on that account made an outcast, does not appeal to the Laws of the land for redress of her grievances (an appeal, let her be assured, never made in vain) is to me inexplicable. Does it arise from ignorance of her legal rights, from fear of appearing in a Court of Justice, or because she is *inops consilii* ?

Now in the concluding sentence of this Lecture you have a *specific remedy* suggested by me two or three years ago. Since then, especially since the publication of your NOTES, I have never ceased to think about it : and the result is a thorough conviction in my mind of its efficacy, as *one of the means* to the end proposed. I have not cited from my MSS. the legal authorities that justify me in saying that a suit for damages will lie for restoration to caste and the like ; for no lawyer will dispute the proposition, and laymen will not expect it of me.

In order to give effect to this remedy by action for damages an association, a "WIDOW RE-MARRIAGE ASSOCIATION," must be formed. The direct object of this association, whether it is to be constituted of men or women, or both, is a matter to be determined hereafter, should be to encourage and support on every occasion (whenever applied to for encouragement and support by parties immediately interested) *legal proceedings* against the members of the Panchayet whose illegal conduct has been the cause of the injury complained of. This necessitates a fund. But can there be a doubt, *rebus sic stantibus*, of a sufficient fund for the purpose forthcoming? Where there's a will there's a way. It may be objected that there would be no want of funds *à contrà*. For a while it might be so. The probabilities, indeed are, seeing the influences of priestcraft on the conduct of such persons, that it would be so : but take my word for it, not as the foreboding of prophecy but as the result of experience, that after one or two successful assaults upon the pocket of the priestridden "Orthodox," his patriotism, and even his religion, if it be a matter of religion with him, will ooze out of his finger ends. Myself would as soon expect to get blood out of a stone as to expect one pie out of the pocket of the wealthiest of the class, unless he can see his way to make something by it. Mammon is the God of his idolatry : and his devotion is uniform and sincere. Not to speak of the moral effect of adverse decrees, reported from time to time and enforced by an earnest and commanding Press, *exemplary* damages would invariably be the result in such actions ; and it needs no ghost from the grave to tell us of the never unfailing effect of damages, whether assessed by the Court or by a jury.

There is another view of this matter. It is this : if a sufficient fund could be raised (and about that I have no fear) a portion of it might, as circumstances admit of it, be given by way of dowry to *enable* some and to *induce* other widows to re-marry. We have a good illustration of this in Col. Walker's Kathiawad *infanticide fund* raised to put down the brutal practice of infanticide.

In addition, the Government should be, without delay petitioned (and I shall be the first to sign the petition) to amend Act X of '56. This no Government, be it Radical or Conservative, can in reason object to do ; seeing that it is in furtherance of the very principle which the legislature has sanctioned in the Act itself. That Act, as you probably are aware, in effect enacts that a Hindu widow's re-marriage shall be lawful ; but that if she remarry she shall forfeit all the real estate and interest that she may have inherited from her late husband. Now let the Act be amended so as to do away with this forfeiture. The consequence would be that she would enjoy for her own life the property vested in her as heir, in the absence of male issue, to her late husband, and it would not only provide her with comfortable support, but would be the means of getting some hundreds of widows in this city alone married, who would otherwise remain in a state of enforced widowhood. As this amendment only applies to a case of Hindu *intestacy* it would not in the least interfere with a husband's undoubted right to impose whatever condition he pleases upon any property that he may think fit to devise to her by will or to grant to her by marriage settlement prior to the marriage.

Such are the remedies I propose. They are not perfect, I know full well ; but they are good *as far as they go*. Each is a step in the right direction. It is only bit by bit that the deadly poison is to be got out of the system : to attempt more is to attempt impossibilities. I have confined myself entirely to Enforced Widowhood.

Yours Sincerely,

GEORGE ATKINSON.

From C. SUBA RAO, Esq., Pleader—dated Bangalore, October 1884.

MY DEAR SIR,

There can, I think, be no two opinions on the baneful effects resulting from the present practice of these two evils, and they are so mixed together that any improvement in one will suffice to mitigate the evils in either or both. For when you succeed in discouraging early marriage it is almost certain that there will be less widows, and if you can bring about the practice of widow-marriage one has less need of looking for a wife among girls. But in my humble opinion it is quite impossible that any improvement can be effected in the practice of early marriage so long as our circles of selection remain so narrow as at present. The interference of Government or its executive to discourage boys from marrying is undesirable and unnecessary. Your suggestion that the State should, by some ruling, secure the sale money of the bride for her benefit in after life, is a good one, and I think every endeavour should be made to obtain the interference of Government in this matter. There are cases in which a widower pays the price money with great difficulty, and there are also cases where the widower pays this easily and marries the girl mainly to secure his property to his wife after him and in case of no progeny to an adopted son, his only object being to prevent his relatives from sharing his property among themselves. Whatever the object may be, such marriages should be prevented by some indirect means.

I am against widow marriage. Even in countries where widow marriage is allowed a widowed mother feels repugnant to seek a second husband. In India since the abolition of Suttee a widow's duty has been to adore and please her absent lord by all kinds of religious observances and social restrictions. But of the forty millions of widows in India if you take their age into consideration there are nearly one-half who, by the misinterpretation of *Shastras* are called such. I mean those maidens who are called virgin widows. I am strongly in favour of marriage among these. Even here marriage being optional, it will not make the case of all unmarried girls desperate. In this priests and pundits are not the only obstacles in the way of reform; orthodox but in every respect highly educated gentlemen are also much in the way. Priests are no doubt educated, and know the real meaning of the *Shastras*, but they are afraid to go against the wishes of their disciples the majority of whom are orthodox. Every reformer and the society of reformers should, therefore, endeavour to gain the good graces of these orthodox gentlemen by discussion, lectures, and appeals, both public and private. When they are once convinced, we can make and unmake a priest. This can only be attained by time. In the meanwhile we can appeal to the State for a little interference. That interference should only be so far as to prevent the priest from excommunicating the parties and their relations and from prohibiting the widow from seeking for maintenance at the hands of the relatives of her betrothed husband. In India, where people look to Government or the king as their earthly God, and with Hindus, the majority of whom are not filled with Western ideas, individual liberty is not much appreciated, and very little has been done by them without the encouragement or countenance of Government. In these views many of my friends agree with me.

Yours very truly

C. SUBA RAO.

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From KESHAVLAL MADHAVDAS, Esq.,—dated Rutlam, October 1884.

DEAR MR. MALABARI,

Early marriages are a novel institution, which is not observable except in the East. It makes the whole nation altogether weak and unfit for enterprise. Marriage ought to come after a man has acquired fortune sufficient to maintain himself and his family. In early marriage the choice does not rest with the contracting parties. Early marriage is a great obstacle in the progress of female education. It is very unreasonable, because without ascertaining the wishes of the parties themselves, contracts are forced upon them by their elders. At one time there was great prosperity in India and abundance of food, so that no one cared for increase in the number of family members. This gave rise to the custom of early marriages as well as numerous holidays, festivals and caste dinners. But those days of plenty are now gone. Population has increased, and the wealth of India is being diverted into several channels by which it flows abroad. Since the days

of Mahomedan invasion all Hindu institutions have been subverted, the manners and habits of the Hindus have been changed. Castes have become numerous multiplied; Hindu kings have ceased to exercise their influence over the Hindu population. Since the establishment of the British rule, though material wealth has decreased, yet intellectual wealth has increased. Western education has taught people to reflect, but still education is not established on a large scale, and consequently a few educated men are making efforts towards reform, but the body of orthodox people is still too numerous. The Hindu law gives clear injunction not to keep a girl unmarried beyond 12 years. Government has taken various measures to prevent female infanticide and has achieved considerable success. It has as yet taken no measures to put down baby marriages. They ought to make marriage legal for girls at any time of life beyond 12 years. They should also make the shaving of widows penal. In the case of a widow remarrying, the Act which is permissive should be amended, so as to make excommunication of the married widow penal. Unless the reform has the support of Government it cannot make progress. The people have no regard for unity, and there is a sad want of fellow-feeling and patriotism. Castes and other circumstances divide people against themselves. They are in many respects lame and blind, and require the lead of a civilized people.

Yours Sincerely,

KESHAVLAL MADHAVDAS.

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From RAMANUJCHARI, Esq., M.A., B.L., Vice-Principal Maharaja's College, Vizianagram—dated Vizianagram, October 1884.

MY DEAR SIR,

I have perused with great interest your Notes "on Infant Marriage and Enforced Widowhood in India." You have treated these two important social questions in an admirable manner within a short compass. Your suggestions are well calculated to mitigate the evils complained of in a very material manner, and I hope you will deem my scepticism venial when I say that some of them may not be feasible at the present stage of our social progress. Your idea that a national Association may be formed for bringing about the desired end, having some of the officers of Government for its members, with branch Associations established all over the country, is a happy one. Considering both the justice and importance of the cause, I venture to hope that you may have the support of all enlightened and liberal-minded Native gentlemen in the country. I here subjoin a few observations of mine on certain aspects of the important questions of infant marriage you have so ably handled, hoping that they may not prove altogether worthless to you, as proceeding from a man of the Madras Presidency, a province of whose social life you might have no personal knowledge. Your description of the evils attending infant marriage is so graphic that I can add little to it; but there is one aspect of the question which deserves a few remarks, considering that the ignoring of it has permitted the growth of an evil of the magnitude of which few social reformers seem to be really aware. The thing complained of is the practice of the selling of girls by their parents or other near relatives, and it has become so rife in these parts of the country that girls are disposed of in marriage to the highest bidders like goods at an auction sale, without reserve, every other consideration being subordinated to that of money.

Girls are married, as a rule, before they attain their 8th or 9th year—an age when they are utterly incompetent to comprehend the character of the contract they enter into; unmarried maidens of ten or eleven form an exception, the circumstances giving rise to such an exception being the absence of suitors willing to pay the price demanded coupled with a strong hope on the part of the guardians of girls to realize larger sums by the postponement of the marriage. All persons who cannot be brought under the denomination of the wealthy are obliged to purchase their wives if single blessedness has no charms for them, and the demands are sometimes so exorbitant that they are at their wits' end to find means to satisfy them. Persons in affluent circumstances are generally exempted from these pitiless exactions, and the competition among the parents of unmarried girls for rich sons-in-law is sometimes so keen and the offers are so multifarious that these wealthy bachelors get absolutely distracted in their choice out of the large quantity of the available material.

It is thus evident that maiden-owners are determined upon deriving a pecuniary ad-

vantage, present or prospective as the case may be, and that if they appear to forego an immediate profit by selecting rich people, it is often in expectation of a future and much greater one. To consider next the social and economical evils arising from the prevalence of this immoral practice.

Out of the total number of the marriageable population the-not-wealthy constitute seventy per cent., their annual incomes ranging from thirty rupees to three hundred; the prices demanded vary from six hundred rupees to two thousand, the prices rising in proportion to the poverty of the suitors. Considering that people of such low incomes cannot afford to lay by any portion of the same to provide against future contingencies, marriage in their case is attended with a mortgage, if not a sale out-and-out, of the little property they possess. The annual income being barely sufficient to cover the interest on the original sum, debts contracted in after years for the maintenance of themselves and their dependent near relatives eventually make the redemption of the mortgage impossible; consequently after a lapse of 6 or 7 years, a period during which married girls live in their fathers' houses before attaining their puberty, their husbands find themselves on the verge of pauperism if they have not already fallen into it, when their wives come to live with them. Indigence, dependence, discontent and misery await the unfortunate women at the very threshold of their married life. To men struggling hard for self-sustenance any addition to their family proves a burden. Advance of time results in aggravation, not in alleviation, of misery which progresses in proportion to the growth of the family. Thus every year which witnesses marriages of the above description, witnesses also a number of pauper families adding to the sum total of human unhappiness. The evil custom of marrying young girls whose ages range from 6 months up to 12 years, whose results I have but imperfectly described above, obtains among all classes of the people, especially among the Brahmins in Southern India.

There is another aspect of the question intimately connected with the above which so far as I am aware has not been noticed by anybody. The connection existing between the disposal of maidens in marriage to the highest bidders and slavery has been strangely overlooked. The practice above alluded to involves, 1st, the selling outright of a girl for a pecuniary consideration, 2nd, absence of will on the part of the subject, the very elements which enter into the composition of slavery. As pecuniary consideration is generally permitted to override every other, the highest bidder, though he may be subject to grievous mental or bodily defects, is sure to carry the day in spite of the feeble voice of opposition raised occasionally on the part of the infant victim. In all the other forms of slavery the law punishes both the seller and the buyer and dissolves the relation originating from the unrighteous contract; but in the case of connubial slavery the real offenders are not looked upon as criminals at all, and the law is powerless to restore the enthralled to freedom by tearing asunder the fetters forged for her enslavement by the heartless greed of her parents. Can the infamous practice of selling infants be sanctified under the cloak of matrimony? Can the sacred institution of wedlock, whose influence is highly beneficent and humanizing, be converted into a regular source of illicit profit, revolting to human feelings and brutalizing in its effects upon humanity? The practice has been denounced by the great Hindu sages of antiquity, and it is worthy to be noticed that the chorus of modern public disapprobation is swelled by the voice of the very persons who feel no scruple in availing themselves in a very material manner by its continuance. The prevalence of such a practice is a standing monument of disgrace to any human society and more especially to one so constituted as ours, so enlightened, so good and so noble, living under the protection of a just and humane Government. I cannot congratulate the British nation upon having restored mankind to freedom by the complete abolition of slavery so long as they permit the most aggravated form of it to continue under their very noses.

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From Surgeon Major D. N. Parakh, at present Chief Physician Goculdas Tejpal Hospital,—dated the 22nd August 1884.

DEAR SIR,

I fully and most cordially and actively endorse your views. I am placed in a position where I can be a daily witness to the misery of the children of the poor and of their infant parents, if I might use that expression. I see every day the dire results of early marriages on the constitutions of women and children who throng my Hospital. I

have demonstrated to my Hindu students the evil results of infant marriage and enforced widowhood as far as such demonstration could be relevantly and quietly made. I have taken every opportunity of remonstrating with my educated Hindu friends for their want of moral courage and backwardness in these matters, where I felt I had a right to do so. I have done so all the more sincerely, because after some experience of female character, I have come to the conclusion that of *all* females of the lower classes to be met with in India, the Hindu female is the gentlest, the meekest, the least complaining and the most unmercifully trodden down creature, and therefore the most deserving of the sympathy of right thinking men.

I consider, that in India no woman ought to marry under the age of 15 and no man under the age of 20, looking at it in a health point of view, and what is good for the individual's health is good for the health of the community, and indirectly beneficial to the State. There is a great deal of sickness and mortality and difficulty in the act of child birth, due to imperfect consolidation of the bones of the pelvis at the tender ages at which women, in consequence of early marriages, give birth to children. The heads of the children of young mothers are also unduly pressed upon and so either the children die prematurely or grow feeble both in body and mind or turn out hopeless idiots. There is a greater amount of sickness and mortality due to poverty of blood caused by want of food, the necessary consequence of the struggle for existence; and the greater the number of children the greater the tax on the physical constitution of the parents, and on the poor purse of the working parent. No sight is more pitiable than that of a young half-starved mother with one child at the breast sucking away her very life, and three or four others worrying away her life; and such a sight is by no means a rare one; it is a very common one. No sight more grotesque, but by no means any the less pitiable therefore, than that of a poor student struggling for University honours, who, wanting his thoughts concentrated on his infinitesimal Calculus, finds them wandering away and lighting on his baby's teething troubles and his other children's school fees or marriage ceremonies. And yet such a sight is not unfamiliar to those who move in Hindu society.

In my professional capacity, I have had many opportunities of seeing Hindu widows, young and old, in Poona and Bombay. I invariably noticed that they were feeble, prematurely aged, looking pale, devoid of all mental or bodily energy, and apathetic. They gave me the idea that they were all suffering from slow starvation. Though such of course could not really be the case in all cases, yet knowing what we do of the way in which Hindu widows are treated, I could easily account for their appearance, which I have described above. They are said to be looked down upon; they are said to be constantly worried by their mothers-in-law; they have no hope of happiness; they are said to be perpetually taunted for their ill luck as if they were the arbiters of their destiny in that respect; they are said to be underfed and kept in close confinement. Now, I have some experience, as a Surgeon in Her Majesty's Service, of the manner in which Government treats the prisoners in Her Majesty's Jails as far as food, clothing, &c., are concerned; and if what is said of the Hindu widow's life is true, then I am constrained to declare that she is far worse off than a prisoner in the criminal side of Her Majesty's Jails. She is then condemned for life to suffer imprisonment because Providence took away her husband. Far better as you say, if she were allowed to become "Suttee" than that she should spend her life in misery. Reform in the condition of the Hindu widow must follow as a necessary corollary to the abolition of "Suttee." Government must make a move, and the educated Natives must help Government to the best of their ability and zealously. Government, of course, cannot carry out this reform in as high-handed a manner as they put down "Suttee." The latter is a crime against humanity; the *soolum* practised on widows cannot be proved in all cases; and if proved, such is the force of habit and the tyranny of custom that the victims themselves would back out of it, and would not assist Government. Higher education, moral education, and higher conceptions of the rights of man and woman—the natural outcome of higher education—these alone can bring about the reform you so ably advocate. I am afraid I am insensibly led to write the same thing as you have done and in the same strain; but as I cannot hope to equal your production in any other quality than in its length, and as length would make it tedious for you, I conclude with my very best wishes for the success of your noble and disinterested endeavours to ameliorate the condition of Hindu female society. In justice to Government, I cannot help saying, however, that it is not such a very easy



matter for them to follow your suggestions as you perhaps imagine. More can be done by National Associations for Social Reform and by higher education.

Yours very truly,  
D. N. PARAKH.

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From P. C. MUZOOMDAR, Esq., Brahma Missionary,—dated Calcutta, November 1884.

MY DEAR SIR,

If I am behind others in replying to your able Note, it is not because of any deficient sympathy. The cause of marriage reform is just now a universal cause in India, and my time of life borders so closely upon it, that I have had to spend a good deal of thought on the subject. The movement of widow marriage, though fairly introduced now throughout the country, is, as you perceive, not prosperous. In Bombay and Madras social penalties are a strong deterrent. In Bengal, it is somewhat different. On the whole society is altogether more tolerant. In the Brahma Samaj, for instance, we freely marry widows and interdict early marriages. We have secured the sanction of law, marriage below certain age is penal in our community, and we have altogether annulled the Inquisition of caste. Does widow marriage flourish in the Brahma Samaj for that reason? No. With the exception of a few men who marry widows out of principle, or of a small percentage who are indifferent whether they marry maids or widows, there is a clearly defined and quite extensive objection in marriageable men to take a widow for wife. In as well as outside the Brahma Samaj, one meets with this objection so repeatedly that the inference suggests itself—there must be some natural cause for it. All notions on the subject of the holiness of the marriage tie are so absolutely and constitutionally puritanic amongst Hindus, that in spite of the revolutionary training of the young men, they theoretically uphold widow marriage as a reform, but they will not themselves marry widows when their turn comes. The remarriage of widows as a *separate* movement has not the same moral interest for every practical reformer. It may do very well as part of a larger and more sweeping measure. To the genuinely orthodox, it is quite as revolutionary as the most radical movement, despite all quotations from the *Dharma-shastras*. To the genuinely heterodox, it is too fractional to deserve so much shot and powder! In the very nature of the case, therefore, the cause of widow marriage has inherent difficulties with which no legislature can deal. Take another view. The last Census returns bring to light the startling fact that there are in the country no less than twenty millions of Hindu widows. Of this vast number 3,16,233 are under thirty years of age and 28,369 lost their husbands between the ages of 15 and 19. Now, I believe you would not advocate the marriage of a widow in this country beyond a certain age. Even old maids in more go-ahead countries cannot marry with impunity. You remember the lively sensation caused by the marriage of a wealthy but—English—to a certain irrepressible—If you succeed in remarrying the 28,369 young ladies who unhappily lost their husbands between the ages of 15 and 19 years of age, and if you can persuade the 3,16,233 middle aged widows under thirty to take the same course, nay granting even that you can find bridegrooms for the 3,44,602 candidates for renewed matrimony, tell me what perceptible diminution do you make in the whole widowed army of twenty millions Hindu women?

It seems to me, my dear sir, a wise economy of Providence that quite an appreciable number of men and women in every civilized people, whether in the shape of the widowed or the unmarried, should remain disentangled from the anxieties and trials of matrimony for the ministry of sorrow, suffering and other wants of general society. There may be instances of impurity and evil in such classes, but no sensible man will venture to insinuate anything like wholesale degeneracy in them. The virtuous self-devoted woman is a ministering angel in every land and nation. And tell me who can be a more self-devoted minister to woe and want than the typical Hindu widow or the typical Christian Sister of Charity?

Let the Hindu widow marriage movement grow within its legitimate limits. Let us all aid it and encourage it, and let us battle with the difficulties of our reform not by Government help, but by self help and the slow moving operations of the law of human progress.

Against the evil of infant marriages there is a steadily growing public opinion. In our part of the country, we have made some progress in the marriage of our young men. The difficulty is with the girls. The tremendous difficulties of the vexed question of courtship present themselves as soon as you let the two sexes grow up to a certain age. Young ladies institute the most crucial tests of competency in admitting the claims of any human being to their affections. Or, when they are good enough to fall in love, they belie those tests so flagrantly as to provoke the strongest revolt against the infallibility of their choice. Parents are in great bewilderment, therefore, when they have a bevy of spirited undergraduate daughters. How you manage it in the Parsi community I should very much like to know. Infant marriages are doomed, but the problem of finding out suitable matches for over-grown young ladies is as far from solution as ever. I have already alluded to the puritanism of Hindu conceptions. We cannot afford to have love letters, flirtations, rejections, and amorous fancies in our households. If we can help it, we will not permit the importation of these usages. What, then, are we to do? I would advocate betrothals long before marriage. The parents, according to Hindu notions, should propose and arrange the matches, but the daughter or son shall have the power to veto the selection. But if the selection once meet with the approval of parent and child, the match shall never be set aside, unless either of the contracting parties show a physical or moral unfitness. I should not like to trouble you with more of my own ideas on this subject. Only I wish to point out the formidable difficulties of these reforms. They can only be dealt with by the moral sense of a community, by the progress of education and religion.

Yours very truly,

P. C. MUZOOMDAR.

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Mr. Malabari's reply:—

The letter given above comes from Mr. P. C. Muzoomdar, the eminent Brahmo, in reply to my first Note. I have read it carefully, and will now examine its salient points. To begin at the end, for convenience sake, I find that Mr. Muzoomdar declares in favour of *kutch*a betrothals which the girl or the boy might veto or which might be set aside in the event of physical or moral unfitness in either to fulfil the contract. The details of this proposal must be considered with the utmost patience. Further up, referring to the "vexed question of courtship," Mr. Muzoomdar says:—"Infant marriages are doomed, but the problem of finding out suitable matches for over-grown young ladies is as far from solution as ever." This looks like unconscious self-contradiction. If child marriages are discarded, there ought to be no difficulty in finding adult bridegrooms for adult brides. A community of grown up girls and boys presents no such problem as has been here conjured up. Why vex our souls, then, with this apparition of a problem? Mr. Muzoomdar is quite right in saying—"we cannot afford to have love letters, flirtations, rejections and amorous fancies in our households." Most of these pastimes are certainly undesirable in India: and I believe they are impossible in our climate and under our social conditions. Now having agreed so far with the Brahmo reformer, may I not put in a few words for the usages—poor undefended clients? Are courtship and engagement always so objectionable as we Asiatics conceive them to be? After all the purest and holiest love on earth is the love between the sexes. Such love is the making of a life. The hope of obtaining it one day, of winning and wearing it next one's heart in one's passage through this vale of tears, elevates the moral nature of man and often leads him to the path of glory. These are positive gains. The negative benefits of courtship and engagement are not insignificant. They serve as a useful test, and they give the would-be partners an opportunity of withdrawing in time from a venture which might lead to social bankruptcy and ruin. Flirtation is a naughty little amusement. But I suspect (not without some fear and trembling) that it is often a healthy exercise for the heart: it nerves and steadies that uncontrollable little rebel. As to "amorous fancies" let them by all means be made over to the moral hangman. But are not these plaguy things more likely to haunt the inmate of the zenana than the flirt? The flame that scorches and consumes is the secret flame. I do not think a genuine flirt is ever troubled with "amorous" or any other fancies. And now to wind up judgment on these ticklish topics, I may add that with all its drawbacks, marriage after courtship is generally to be preferred to enforced marriage or marriage in which the parties most concerned are least thought of. I must not be misunderstood as sanctioning the usages (for India) which Mr. Muzoomdar so frankly condemns. But the idea that adult marriages—marriages of choice—are seldom pure, is based purely on that Oriental jealousy which can never dissociate woman from sin. I see no earthly reason why the father of a "bevy of undergraduate girls" may not let them alone—to marry or not to marry. It is not every father in India who is blessed with educated girls—so there is no fear of a universal spinsterhood.

I cordially agree with Mr. Muzoomdar that there ought to be "an apprecable number of men and women, disentangled from the anxieties and trials of matrimony for the ministry of sorrow, suffering and other wants of general society." I also heartily concur as to there being numerous sisters of mercy amongst Hindu widows. This is a most satisfying idea. But sentiment apart, are our widows, a decent majority of them, capable of benevolent usefulness? Are they not generally debarred by their very status in society from such usefulness? How can they be better when even the rights of a human being are seldom allowed them by the ignorant and the orthodox? We are all agreed that the life of the average Hindu widow is not at all enviable. It is mere euphemism to talk of "men and women" together. The life of the two is extremely unequal—its sweetness and light reserved for men and its sufferings for women. Mr. Muzoomdar seems to be in error when he places the number of Hindu widows between fifteen and nineteen at 28,369. The number of Hindu widows up to nine only is 63,557. Up to 14 it is 240,181. The number up to nineteen is 550,732. And the number up to the mean maximum of twenty nine is 21,22,877 (keeping the vast number of elderly widows out of count). Are these 21 lakhs of souls all expected to be happy or to bring happiness to others, leading the cruelly unnatural life prescribed to them? I do not plead for remarriage so much as for social emancipation. The mere sense of freedom would spread sunshine over their hearts and consequently over half the heart of our humanity.

Mr. Muzoomdar's letter affords an instructive insight into the operations of the marriage law within the pale of the Brahmo Church. Young Brahmos "will not marry widows when their turn comes," although "they theoretically uphold widow marriage as a reform." And this because "all the notions on the subject of the holiness of the marriage tie are absolutely and constitutionally puritanic amongst Hindus." But it is a noteworthy fact, which should not be missed in this connection, that our "puritanic notion" always operates *in favour* of men and *adversely to the* interests of women! A man may marry ten times over and over in spite of this "puritanic notion." It is only when a woman, even though she be a virgin widow, seeks independence, that our "puritanic notion" comes in the way of progress. Mr. Muzoomdar may declaim as much as he can against this unrighteous system of monopoly; but what can an individual even in his position do? I can never bring myself to blame individual reformers.

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From K. N. RANE, Esq.,—dated Bombay November 1884.

DEAR SIR,

There cannot be two opinions about the evil effects which these customs produce in Hindu society, especially at the present day. The members of the Prarthana and Arya Samajas and similar reforming bodies have been striving their best towards mitigating the evils complained of; but the efforts of both high and low have been rendered futile owing to the majority of the Hindu population adhering tenaciously to the opposite view. The foremost person who deserves the opprobrium is the Brahmin priest, seconded as he is by the orthodox and the ignorant, who cling fast to what has come down to them from their great grand-fathers. The efforts of the very few persons in the direction of ameliorating the condition of the many, engulfed in mysticism as it were, is like a drop of water in the ocean. The subject, however, is not a new one, it has been ventilated through the Press many times, innumerable pamphlets have been written upon it, lecturers and preachers have exhausted their breath both from the platform and the pulpit. It has verily become a hackneyed theme. But the evil is really eating the very vitals of our society. It may certainly appear surprising that with the rapid progress of education and enlightenment among the people, there has been no corresponding earnestness to grapple with these evils which are so rampant all round. A few persons amongst us desire knowledge for its own sake. They seek it that they may obtain a just title to be recommended first to a good match and afterwards to a good situation. They do not desire knowledge in order that their views may be enlarged or enlightened, but that they may be qualified for the ordinary business of life, and that they may be better able than the ignorant and unknowing to procure money so as to live decently and honourably within their family and among the different relations and friends with whom they may be connected by ties of relationship or friendship. With these objects before them it is next to impossible to expect any help from them to elevate the moral and social state of the Hindu community. If this is the prevailing state of society, how is the moral and social status of the country to be improved? Is not the Government, which is according to Roman and Hindu Law, the guardian and protector of those over whom it rules, bound to step in and lend its helping hand to the few who can exert in this good work? If it is true that the prosperity of a nation depends more on the physical, moral

and social condition of its people, is not that nation morally bound to maintain it in the interests of its subjects? I conceive it to be false patriotism altogether to assert that the Government should not interfere in matters which lie wholly within its own province. No. Since it has been found wanting in this essential feature, the Government should intervene for the public weal. A small Act on the hot anvil of legislation will alone extirpate the evils in a second. No positive good can be expected by a thousand lectures or ephemeral associations. A conservative people like ours do not care to profit by the signs of the times, and their thick skin could be pricked only by the stern hand of law. I, therefore, earnestly and humbly beseech Government to bestow serious attention on this subject, which I am glad to observe has enlisted the sympathy of all right-minded and just men residing in this country. It will be a day of great rejoicing if these evils are wiped away from off the country by the beneficent hands of Ripon, Dufferin, Gibbs, Bayley, and other well-wishers of the land. Above all, praise is due to you for taking the initiative, and I fully hope a benign and merciful Providence will crown your efforts with success.

Yours truly,  
K. N. RANE.

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From K. VENCATRAO, Esq., First Grade Pleader—dated Bellary, November 1884.

DEAR SIR,

I fully concur with you in thinking that there can be no two opinions as regards the disastrous effects of the two evils you are striving to combat against; and I hope to hear of the last of their existence.

With reference to your suggestions regarding infantine marriages, I think we should invoke the aid of the Legislature in one or two points without offending the susceptibilities of the orthodox and violating the law as laid down in the Shastras. It can be satisfactorily shown that the Shastras do not prohibit the postponement of the marriage of a girl till she attains her 12th year and of a boy till 16. As for caste or custom it does not seem to condemn the persons concerned in the marriage of a girl and boy aged respectively 12 and 16, or above. Hence it is clear that legislative interference in fixing the minimum of the marriageable ages of girls and boys, with penal clauses for punishing the parents or other guardians for violating the said law, will not shock the feelings of the people nor set in motion the torrent of reaction against the cause, nor be inconsistent with the non-interfering policy of Government in religious matters. As the people do not, in 90 per cent. of the marriages that now take place, adhere to the ages laid down in our Shastras, perhaps under the impression that those were the maximum ages permitted by our Hindu Law, or for want of proper authorities to enforce the same, the necessity for securing legislative sanction for a moderate limit of minimum age, both for boys and girls, is very great. Those that deprecate legislative action in such matters seem to hold that as female education advances, these prejudices perish of their own accord. If that be the case, there would have been no legislation on the subject in the civilised countries of Europe; but such not being the case, there can be no force in the alternative offered. I think we are not without a precedent as regards legislative interference in a similar question affecting age. The Indian Majority Act of 1875 determines the age of majority of a Hindu and prolongs the period of non-age fixed by Hindu Law. While the above Act interferes with the Hindu law of succession and contract as regards the capacity of the persons concerned, the one now asked for will merely declare the temporary incapacity of the persons entering into marriage life or rather marital contracts.

As regards indirect interference on the part of Government, by excluding married youths from University examinations and preferring unmarried for public service, I am of opinion that the number of persons to whom your suggestions apply will be very small, compared with the large mass of youths affected by the baneful practice, and the scope of beneficial operation will be much limited. I also think that there will be more difficulties in procuring from the heads of different departments of Government the partial concessions advocated for; and when procured they will be open to greater risk and inconvenience in their operation than in getting a moderate enactment passed through the Legislative Council, and in enforcing the discreet provisions thereof. With reference to the proposal that the Government should lay down that the sum given by an

husband to a young wife as purchase money should be deposited in her name and for her use, when of age, I think it is highly impracticable to carry it out. I think that in almost all such cases, the money so paid does not take the form you put forth, but is given as a contribution towards the marriage expenses, so called, of the bride's parents. It also generally passes off as a secret transaction, it being the interest of both the parties to conceal the matter as much as possible. Therefore the good derived from the course suggested will be very imperceptible. Though I am not very hopeful of the success of the indirect measures of reform contained in your Note, I go in fully with you in thinking that the adoption of such measures will give a good impulse to the cause, and set a worthy example for the illiterate masses to follow, officials and University men generally leading public opinion. Your paper contains some other excellent proposals to be set in motion by the educated classes, such as a Graduates' Association; Public Servants lecturing the masses on the evil effects of infant marriages in their tours; free circulation of Vernacular Tracts; establishment of a National Association for social reform, &c., &c.

With reference to your second Note on enforced widowhood, I agree with you in thinking that time has not yet come for asking the Government to declare that a widow should not be wronged by caste, but that something should be done, indirectly by Government, to counteract the secret blows inflicted by priesthood. Your first and second suggestions to the effect, that no widow shall be condemned to life-long widowhood against her will, and that arrangements may be made for ascertaining the same, are theoretically good propositions; but the practical benefit arising therefrom will be very limited. Priests, parents and guardians do not generally act directly against the will of the young widows, but slowly poison their minds and infuse terror, by giving them horrible descriptions of hell and excommunication resulting from remarriage. Education may undo those false terrors, but our girls are not allowed to educate themselves to the extent of understanding the false theories of caste and religion on the subject. The influence of those who are authorised to ascertain the intentions of widows in suspected cases will be like a drop in the ocean, compared with that exercised by the natural guardians and the priests. The third suggestion is an excellent one, but the fourth is impracticable. Government cannot frame rules in the matter except by passing an Act, and if they do legislate on the subject, let the enactment, by all means, strike at the very root of the evil; that is, the priest should be declared to have no power or right to excommunicate either the principals or the accessories. Numerous quotations may be made and authorities shown to prove that the Mutts and other religious institutions do not possess legitimate authority to dictate or punish, but are merely to teach Vedas or their sectarian philosophies to their disciples. If the fear of excommunication be removed, the progress of social reform will be very rapid.

Your faithfully,

K. VENKATRAO.

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From the Hon'ble Mr. JUSTICE SCOTT, Judge of the Bombay High Court, dated Bombay, December 1884.

MY DEAR MR. MALABARI,

I am much obliged for your Rough Sketch of an Association for Practical Reform. The social reforms you propose are eminently desirable, and I would with pleasure give such time and money as I can spare to aid you in the furtherance of your plans, so far as is consistent with my proper work and other engagements. But, of course, my aid, or even that of Anglo-Indians of much greater influence and leading power than I have, is of little use in such a crusade, compared to the co-operation of the leaders of the various communities whose social reform you would effectuate. That being so—and here I speak with the sole desire of helping your cause and only by way of suggestion—are you right in setting forth so many objects of reform? My experience of these things, gained in an Eastern country, though not in India, is that they are best done piecemeal. Every fresh change proposed disturbs a fresh set of prejudices, and stirs up the animosity of special vested interests; and all your opponents combine, because each has a reason to suppress you. The big reforms you have initiated with great success seem to me more than sufficient to undertake, whilst all the rest would be easy of accomplishment if you succeeded in carrying your initial proposals. For them you have gained the sympathy of English as well as Indian reformers. For instance, I sent your first papers to one

friend (amongst others) who was so much struck with the urgent need of what you proposed as to send the papers to General Ponsonby to be laid before the Queen. And from what my friend writes to me, I have little doubt that Her Majesty has graciously approved of your objects. But I think your chance of doing good will be increased if you confine yourself to your original field of reform. Do not forget the French proverb—*Qui trop embrasse mal etreint*.

Yours sincerely,  
J. SCOTT.

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From the same,—dated Bombay the 27th July 1886.

DEAR MR. MALABARI,

I am very much obliged for the packet of papers concerning the two great reforms you have so long and ably advocated, and I congratulate you heartily on the progress you have made since we discussed the matter a year ago. Thanks to you the questions no longer bear a merely speculative character. You have brought them well into the region of practical politics, and one at least of the two reforms approaches realization. The thoughtful essay by A. F. on Social Reform has much interested me. But the last two contributions to the literature of your crusade—the letters from the Hon'ble Mr. Melvill and Mr. Justice West—are of special importance. Mr. Melvill's letters are of value not only as containing the suggestions of a man of great ability, but also as possessing that rare aroma of infallibility which hangs about even the *obiter dicta* of a prominent member of Government. Mr. West's ideas are of equal value as coming from an eminent Judge, profoundly versed in Hindu law, whose conservative instinct would never encourage any reform for which a people was not ready. The adherence of these two gentlemen completes a list of representative Anglo-Indians in all parts of the country, which one would think sufficient to make any cause victorious. But more important still, in the special circumstances of your cause, is the long list you published the other day of native names—ruling princes, pundits, ex-ministers, members of Council; most of them men of pure caste who would do nothing to contravene their sacred law and yet have given the weight of their names in support of your reforms. It is especially worthy of notice that the Sovereign of a State like Baroda should himself write to you to express his approval.

But now comes the very important question, what must next be done? Your candid friends tell you you have done all an outsider *can* do, and that it is for the native supporters of the movement to take the next step. In one sense the advice is perfectly sound. The leaders of the Hindu community must themselves effect Hindu social reforms. But if you wait till individual Hindus take up and carry through singlehanded, without outside aid, any great change in their social system, you will realise the fable of the countryman who sat by the river bank and waited for the stream to run dry before he crossed over to the other side. It is not in human nature to expect great changes to be effected in a society by its own members, where the advocates of change have to face family estrangement, social ostracism and caste excommunication as a probable result of their efforts. You must in such circumstances take some middle course. Mr. Melvill suggests a *modus operandi*. "A few representatives of each caste," he says, "must take the lead." I fully endorse that view; but I would add that the action these leaders must take is not on the lines of purely internal reform, but rather in favour of internal reform backed by a very moderate amount of Government interference. I believe that if a petition to Government were signed by all those leaders of native opinion who have already signified to you in one way or another their adherence to the reforms in question, the natural hesitation of those in authority to interfere with the religious or social institutions of those they govern would be removed. Deference and respect for native religion and usage is the basis of the English rule in India. But whilst the Government steadily refuses to regulate belief or alter custom by law, it can still consistently and safely assist reform by cautious legislation when the leaders of native opinion testify clearly to the wish of the people for progress. Your part in this future action would be more subordinate but not less useful than the one you have hitherto played as leader of the crusade. Nobody but you would give the time and take the trouble to prepare the necessary petitions and obtain the signatures. You have not only mastered the whole subject, but you have the touch of those representatives of native thought whose active

co-operation is now all essential. Whilst the action must be theirs, whilst it is they and they alone who can move Government, still you can provide the machinery, prepare and circulate the petitions, which, when signed, will have that collective weight which Government properly insists upon as a preliminary to any legislative action. The Hindu community, however jealous it may naturally be of outside interference in its own affairs, cannot object to this amount of assistance from you, and if funds are required I and many others would gladly subscribe to defray the inevitable expense of the undertaking.

Then comes the question, what exact amount of change will be at present acceptable to the Hindu community. You advocate a double reform, and each branch of your proposal is of the highest importance. The suppression of infant marriages perhaps is the most important branch, but the evils of enforced widowhood are also many and grievous. Still, in a reform of this magnitude you should at every step make quite sure of your ground, and I should be inclined to put aside for the time the second half of your scheme. So far as researches can be made into Hindu Law by one who studies it by the light of translations, I think the objections to the re-marriage of widows have more support in the sacred writings than those which oppose the suppression of infant marriages. The latter custom is of comparatively recent origin. It has been proved times without number in the columns of the *Indian Spectator* that the Hindu law not only does not enjoin infant marriages but it does not treat any marriage as complete until both the contracting parties have reached maturity, and the bride in real marriage union has joined her husband's *gotra*. Thus, if you confine yourself to this single reform you can have first the religious party, those who cling to the ancient ways more tenaciously than any others, on your side. Then, secondly, you must have all those who realise how the present custom undermines the vitality of the people. I have often thought that if it was only brought home to the minds of my native friends how fatal the progress must be to national degeneracy under the present system of premature marriage, every enlightened man in the country would be ranged on the side of this reform. I think, at any rate, you can find support enough to persuade the Government to help you if you confine yourself to the Infant Marriage question. If that practice is abandoned your other reform would incidentally be partially effected, for that class of widows who excite the most pity, the virgin-widows, would disappear. But if you tried to carry the double reform you might fail altogether from attempting too much.

Next comes the practical question as to what should be the limits of the marriageable age. I think you could not do better than adopt the rule that now obtains in most of the civilised countries of the world, which may be stated as follows. "A male person is enabled by law to consent to matrimony at the age of fourteen and a female at the age of twelve. Even though the male be under fourteen, or the girl under twelve, the marriage is not absolutely void, but is only inchoate and imperfect. Either of the parties, upon coming to the proper age for his or her consent, may declare the marriage void." This rule would provide for the Hindu system of betrothals, or rather it would substitute a revocable betrothal for the present irrevocable Infant Marriage.

I have nothing more to add save that I wish you every success.

Yours very truly,

J. SCOTT.

P. S.—Just as I finish writing above I see in to-day's *Times of India* that the first petition against Hindu infant marriages has been presented to Government by the Natives of Meerut. I hope it will soon be followed by many others.

J. S.

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From P. DESAI, Esqr. District Court Pleader,—dated Belgaum, December 1884.

DEAR SIR,

The step taken by the Government of Bombay, in inviting opinions from leading members of the principal sects of Hindus on the question of infant marriages amongst them, is in the right direction, and it is to be hoped that good results will be attained by this means.



According to the custom now obtaining amongst us, Hindu parents are often compelled to get their daughters married when they are scarcely six or seven years of age to boys of whom they know little or nothing. Shortly after their marriage they are taken to the homes of their boy-husbands. At about twelve or thirteen they become mothers of one or two sickly children, and their life is then necessarily spent in looking after household affairs and often in performing, in higher classes, trivial religious duties.

But the consideration of this subject naturally leads one to a difficult question—what can Government do in this delicate matter? Perhaps the nearest approach to the solution of the problem would be to introduce a short Bill into the Legislative Council of the Government of India, simply for the purpose of ascertaining the general feeling of the people. In so doing the limit of the age of a marriageable Hindu girl should be fixed at not less than twelve and that of a boy at not less than seventeen. The widest possible publicity should be given to the matter. If it does not meet with any violent opposition, it may be passed into law.

Yours Sincerely,

P. DESAI.

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From PANDIT BADRI DUTT JOSHI, Political Pensioner,—dated Almora, the 10th November 1884.

DEAR SIR,

I have seen your notes on infant marriage and enforced widowhood. A sort of diffidence, natural to a man of my limited information, makes me hesitate in communicating to you my necessarily crude views; but the nature of the subject, which in every human mind must excite a sympathy, compels me to say that I cordially concur with you, particularly on the subject of infant marriage. If anybody were to ask me how India came to such a degradation and degeneration I am prepared to answer that infant marriage is the cause of it. It was scientifically proved by medical men in India in the days of yore that infant marriage proves injurious to the physical constitution of both parties as well as to their progeny. The other day talking to a Native physician in my neighbourhood on this subject I heard him repeat a Sloka (verse) from Soosroot (a work on medicine) ruling that up to the age of 25 in man, and 16 in girl the bones and vital fluids do not reach complete development and consequently any wasting of the latter before that should be discouraged. He further told me that Slokas of this nature are found scattered all over works on medicine by Soosroot and others. Besides this the law-books of Manu and Yajnyavalk, for whom we Hindus have great respect and consider them as the highest authority on the Shastras, do not enjoin early marriage, nor do the Vedas, the most sacred books of the Aryans. I have not the least doubt that these rules were acted upon in olden times. But I cannot say how and when this evil custom against which you have raised so noble a protest took its root in this country. Your idea "that it may have been forced upon the people under the first Mahomedan inroads" are likely true, but I am rather inclined to think that the physical weakness produced by the evil led to the Hindus losing their country. It appears that in the times of the Rámáyan and the Mahábhárat and as long as the precepts of the Vedas and the codes of Manu and others like him remained in force, there were millions of heroes able to stand against the inroads of the sturdy Afghans. But previous to the time of the coming of the Mahomedans there must have been a time at which disaffection in the country, or rather civil wars among the different classes of people to make each influential over another, may be thought to have taken place and with it the violation of the codes and precepts referred to above, which by the time the Mahomedans came must have so deteriorated the Hindus as led to their yielding to the invaders without the least opposition.

Whatever may have been the cause, the question now is, will India go on degenerating thus, or will it revive the custom of its forefathers following the precepts of the Vedas and Smritis?

When I first saw your notes I expected a good deal of agitation from all the English and Vernacular native papers on the subject in question. But I am sorry that only a few of them seem to have a sympathy for this cause. Instead of supporting you in the matter you have so nobly taken up, and strengthening your hands for the benefit of this country, some of the papers have taken quite a different view and

have gone so far astray as to call you a young man, an alien to the Hindu community, and so on. What can be more pitiable than this? First of all I think it is the paramount duty of the Press to discuss questions of a social nature, for without its help no friendly exchange of feelings can take place between persons of the different parts of the country. Here I would draw the attention of the Native Press to Sir A. Colvin's valuable letter (which some one was advising you to tear into pieces as soon as you received it and not to have recorded in your paper). The following lines from the letter seem to me to be only too true. "The Native Press which at present seems totally averse to furthering social reform might be of greater assistance in discussing questions of this nature, the merits of which it thoroughly understands, than in wasting itself in barren phillipics against English rule." If the Native Press does not care for India giving birth day after day to sickly, weak and feeble sons, what right has it to cry that Government is doing injustice by not admitting her sons to the Volunteer Corps and important offices in the Indian army? How does it expect that a Native gentleman of 25, weakened by the wears and tears of a couple of wives and half-a-dozen children, would leave home to go to the north-west frontier or to Soudan, and there command a division fighting with the enemy of Her Majesty the Empress of India? Unless the whole Press takes up this subject for the general topic of the day, very few will have an opportunity of even knowing what the real matter is, and what its different aspects are.

Secondly, as we all Hindus have the idea of infant marriage being enjoined by our Shastras, I wish extracts from the Shastras on the subject of marriage be made by some enlightened Sanskrit scholars, such as the learned Professor Bhandarkar of Poona and others, showing that the custom is not strictly enjoined by the Shastras. And these with your notes translated into different vernaculars be circulated far and wide, through District Magistrates of each province, among the influential and educated men in the principal cities and towns, to elicit the sympathy of the orthodox community. Though some of the works of modern writers now reckoned among the Shastras, such as one written recently by one Kashee Nath, fix the age for a girl's marriage at 8 or 10, even they, I think, have not said the same thing regarding a boy's marriage. In my humble opinion to have this done on the authority of the Shastras would be more popular and hence safer than to have it done by direct State influence or by the agency of modern education.

Thirdly, it would be a more effectual remedy than any other if all educated kinsmen and relatives would make a league among themselves not to have their daughters married before the age of 10 and their boys before 18 or 20, with an extra provision in the case of the latter that they should attain certain educational status before they marry. In bringing this rule into action, I think there is no fear of persecution from caste. I am very sorry to see and hear of many men who don't hesitate to dine at Hotels, use English hats and pantaloons, English soap, biscuits, and brandy, and thereby lose religion, nationality, money and respect, and call this reform, which they are spreading in the country. But what would be a real reform they have thrown into the background and quite neglected it.

As regards enforced widowhood, it is needless to tell you anything about the chastity and character which are maintained by the Hindu widow. I think a widow who possesses a certain amount of property and has a certain number of children, and has passed the age, say of thirty, generally does not like to be remarried. Her remarriage is therefore inadvisable on various grounds. Next comes the widow who just at puberty, or before it, has been deprived of her husband with whom she had company for some time; if she, after a time, irritated at her position, forgets the love for the departed partner with whom in former times she might have plunged herself into the funeral pile, likes to be remarried, she might have the option to do so. But I think the offspring of such marriages will be illtreated in society.

Fourthly, the virgin widows, whose milk-teeth have not yet fallen, who have not even the least idea of what a husband means. For such miserable members of our society, I say I should like to enforce marriage on them rather than enforce widowhood.

Yours very faithfully,

BADRI DUTT JOSHI,

From the HON'BLE MR. KASHINATH T. TELANG, M.A., LL. B., Member of the Governor's Council,  
—dated Bombay, the 16th September 1884.

MY DEAR MALABARI,

I owe you an apology for not having written to you earlier about the two interesting notes on Infant Marriage and Widow Marriage in India, of which you have been so good as to send me a copy. But I am sure I need not be at any pains to explain to you the causes of the delay, and I shall therefore at once proceed to comply with your request for my opinion on the important subjects to which your notes have been instrumental in once more drawing general attention.

Dealing first with the first of those subjects, which is also in my judgment very much the more important of the two, I think it is necessary, at the very outset, to ascertain precisely where it is that the true centre of mischief lies. Now, I cannot help thinking that this true centre is missed, if we keep hammering away, as is sometimes done, at the custom of celebrating what is called the "first marriage," when the bride and bridegroom are of very tender years. That custom is mischievous enough in all conscience. Yet the mischief of it is in reality more of a theoretical than of a practical character. It is theoretically absurd, no doubt, that a boy and girl should be tied up in wedlock at a time of life when they are probably unable to understand, certainly unable to appreciate to the full, the responsibilities of the status on which they are about to enter. This is theoretically absurd. But although I am prepared to concede that some of the rival systems are superior to ours, in many respects, I confess I cannot see theoretical perfection in any of them. And looking at their practical results—with which after all we are mainly concerned—I see no ground for holding that there is, in point of fact, a larger proportion of ill-sorted matches under the one system than under the others. Comparing our system, for instance, with that prevalent among our English rulers, I should not draw that conclusion from such knowledge of English life as I have gathered from respectable English novels and other sources of the like character. And in such a matter the true principle which the practical reformer should adopt for his guidance is the famous one—"by their fruits you shall judge them." Now, it is admitted in your note, though it is not as generally admitted as it should be, that the "fruits" of one system are "in large numbers of cases" quite "satisfactory." And therefore I shall not further labour the point here. I shall only state that, in my opinion, reform is not so urgently called for on the point above noted as on another one; and that if the reform which is urgently called for can be successfully introduced, the other may reasonably be expected to follow almost of itself, if I may say so, in due course.

That reform is wanted at the principal source of mischief, which lies in an early consummation of marriage. And here, I may point out, the beginnings of a reform—very small beginnings I admit, and not such as to redound much to our credit; but still beginnings which are none the less real—have already been made in Bombay and elsewhere. Cases of deferred consummation, after girls have arrived at puberty, are known to have occurred without any protest from the castes concerned. If such cases become sufficiently numerous, a long step, I am persuaded, will have been taken towards the ultimate goal. And as this reform will come by way of development from within, it will save all the difficulties that must needs be encountered, if limits are fixed which can only be more or less arbitrary, and which, if they are not violated in individual cases, may lead, as I have reason to believe from practical experience, to much serious inconvenience and mischief. To such a reform no opposition from caste need be apprehended. In truth, all that caste insists on at present—and even this, it may be remarked in passing, it has failed before now to do in some cases—is that a girl should not remain unmarried after attaining puberty. And therefore the truth is, not merely, as you say, that "no Shastra" enforces marriage proper (by which I understand you to mean consummation) on a girl under twelve years of age, "but also that no caste, as such," enforces it either. The reason of the qualification contained in the phrase "as such" will appear in the sequel.

The conclusions to which the considerations above briefly indicated lead appear to me to be of some importance when we come to cast about for suitable means for remedying the existing mischiefs. Those conclusions may be thus formulated. First, that neither caste nor Shastra, as popularly understood, exacts anything more than that girls should not remain unmarried after attaining puberty. Second, that neither caste nor

Shastra, as popularly understood, has anything to say in the matter of consummation of marriage. And third, that reform is most urgently called for in regard to the time of consummations and not so much in regard to the time of marriage.

Upon these conclusions the question arises—If caste and Shastra are alike out of the way, what is it that stands in the way of the reform here pointed out? My answer is, that the obstacle is in the family. The man who wants to initiate this reform finds his difficulties neither in the Shastras, which are only imperfectly if at all understood, nor in the caste, which, as such, has not claimed to exercise jurisdiction in the matter, but in those nearest and dearest to him, in his family and among his relations. To many of these the proposed new departure is distasteful, first, because it is a new departure ; secondly, because it is looked upon as calculated to defer the enjoyment of the great blessing of having a son ; and thirdly, though this perhaps only to a small extent, because it is calculated to interfere with the *éclat* of the celebration of the “second marriage.” These are the real difficulties in the way of reform. And now the reason why I used the expression “caste as such” before will become obvious. Not one of these difficulties is a difficulty which can be properly charged to the account of “caste as such.” It is certain members of the caste, connected with one by ties more or less close, that are the obstacles, not the caste as a whole. And it is necessary, I think, to grasp this fact fully, in order to be able to form a really useful judgment on the various remedies proposed for our existing mischiefs. The influence “of caste as such” is already on the decrease. But even if you entirely abolished it to-morrow by legislative enactment, the evils now under consideration would not be affected at all, or affected only to a very trifling extent.

And now in this view of the real mischief and the real obstacles to the remedy of it, let us proceed to consider the various remedial measures suggested in your note. One observation which applies to them all is, that as worded they seem to refer to the first marriage, rather than to the consummation. This appears to me to show that the view of the matter above indicated has not been really appreciated by those who have propounded those suggestions. But as a slight amendment will adapt the suggestions, or at least some of them, to the view here put forward, I shall at once proceed to consider them in detail. The first of them advocates the exclusion of all married students from university examinations after a certain point of time, to be fixed once for all. At the first blush this seems a good suggestion. But on consideration I confess that I am not prepared to accept it as it stands. I cannot form any forecast of its probable operation and results. And if there is a reasonable chance—as I think there certainly is—of its telling perceptibly on the number of pupils coming to our colleges and universities, it is plain that the suggestion, if carried out, may add one more to the long list of cases with which we are familiar—namely, cases of “killing the goose that lays the golden eggs.” If the suggestion is carried out, we may not improbably become instrumental in retarding the progress of that very education which must be, if not our sole, at least our principal lever in the eradication of existing evil customs. Remember, too, that we may thus be making the boy suffer for the sins of his parents in two ways, instead of only one as at present. The boy in the large majority of cases will be unable to prevent his own marriage, and if the father is not sufficiently alive to the benefits of a university education, the son will have good reason to exclaim, “Save me from my friends”; and taking a somewhat larger view, I think it will not be either fair or safe to entirely trust, as on this suggestion you must trust, to the good sense of parents upon such a point—a point on which the whole educational progress of the country must depend. With the most unfeigned respect for my excellent friend, Mr. M. Ghose, who, I believe, originally made this suggestion, and for my revered friend and teacher Mr. Madhavrao Ranade, who seems to be inclined to adopt it at once, I own that I cannot persuade myself to give my voice in favour of it. I am, however, prepared—although not without some hesitation and diffidence—to go as far as this. The University and the Government Educational Department may, I think, fairly lay down a rule that the scholarships and prizes awarded by those authorities up to a student’s graduation shall be tenable only by unmarried men. It will not, I think, be possible to make any use here of the distinction between the first and second marriage, which I have insisted on above. But as at present advised, I am content by way of experiment to go at once in this direction as far as I have now indicated.

Coming next to the second suggestion, I own I cannot see either fairness or advan-

tage in the proposal to exclude married men from employment in the administrative departments of the State within certain limits. I am myself rather inclined to look upon a man with a wife and children as more likely, *ceteris paribus*, to be a diligent, steady, and honest worker, than one whose misdeeds can bring ruin only upon himself. And, on the other hand, I do not think it is fair to insist upon a qualification which is almost entirely out of relation to the work to be done. In the case of the prizes and scholarships above referred to, the conditions are very different. We all know that the cares of a family are most unfavourable to the formation and growth of studentlike habits. And as the formation and growth of such habits are among the most important parts of education—even more important than passing examinations—we may well insist on a qualification for the award of scholarships and prizes which cannot be as legitimately claimed for a clerkship in the office of a Collector or an Accountant-General. “The advantages of the proposal” seem to you “to far outweigh any possible inconvenience.” I cannot share in this opinion. You think that, other things being equal, the head of a department should prefer an unmarried man to a married man—“on the ground that he has the right to prefer the best available servant, if not the best available citizen.” I at once admit the right, but for the reasons indicated, I think the head of a department should make an exactly opposite choice. Perhaps this further reason may also be urged in favour of that view—*valeat quantum*—that while the appointment of an unmarried man helps only one individual citizen, the appointment of a married man saves more than one from distress. No doubt it might be urged in reply that by helping the one you afford an inducement to others to remain like him for a long time in the condition of “single blessedness,” and that this being by the hypothesis desirable, you are preparing the way for a great reform. But waiving the point, by no means an unimportant one, that all such artificial rules are apt to fail in their benevolent objects, and on the contrary to entail demoralization and unexpected evils—waiving, I say, this point, I must repeat here what I have said as to the previous suggestion, that it is almost impossible to form any trustworthy forecast of the probable effects of such a rule on the future progress of education. And I must say, too, that it involves the extension of an artificial system of martyrdom for sins not one’s own, which I cannot contemplate with equanimity.

The third suggestion is to start an association, the members of which shall take a pledge not to marry under a certain age. You call this suggestion an “excellent” one; but in the first place, as it is put, it seems to me to be impractical. I don’t think that among those who are likely to join an association for the intended purposes you will find anything like an adequate number of persons in whose case the pledge will have any practical value. Most of these probably have been already married. Besides, such a “pledge” as that here proposed would probably succeed in driving away people from the association rather than in attracting them to it. The object of the association should be, I think, to familiarize the people with the evils of the prevailing system, and to help anybody, be he a member or not, who is ready and willing to break through the system himself. If the members themselves break through it, well and good; the success of the association will be greater, more rapid, and more complete than in the other alternative. But I don’t think that the success should be imperilled in advance, as it will be if a “pledge” is insisted on, which by the hypothesis we are not prepared to practically redeem. I must add, too, that I have not much faith in the operative character of pledges of this sort.

The next recommendation is that an educated man should not marry a “girl too much under his age.” This, again, is not at all feasible under present conditions. Seeing that the practice of widow marriage is very far from being at all widespread among the higher castes, and seeing that the practice of marrying girls before they are thirteen, at the outside, is all but universal, it must needs be extremely difficult, if not impossible, to arrange for a marriage which shall satisfy the condition here proposed. Are the proposers then ready to accept the alternative of enforced celibacy with all its attendant evils? I must confess that both this suggestion and the one last dealt with strike me in some of their aspects as illustrations of the old recommendation to “bell the cat.”

I agree that our ordinary schoolbooks should be made instrumental in this reform; and carefully framed reading-lessons on this and other social topics, if not made obtrusively didactic, might prove useful. I agree, too, that an association should be established for delivering popular lectures, and publishing short and cheap tracts, illustrative of the true views on these questions. I also concur to some extent in the opinion that officers of Government might do some service to the good cause by “evincing a strong personal

interest" in it. One practical mode in which it will be in the power of all of them to do so is to decline to attend any of the *tamashas* which are taking place so frequently in Bombay, and on occasions in the *mofussil* also, "in honour of" the weddings of little children. This will be one practical method of discountenancing the present mischievous system. And its effects will not, I am persuaded, be quite insignificant. But I must say that the inclination of my opinion on these matters generally is such as would justify you in classing me with your friends the "let-aloneists." My faith in "the education of public opinion" as a great social force is almost unlimited. And I believe that in the long run the results of that education are not only more enduring, but—what might seem paradoxical—more rapid than the results of such artificial remedies applied *ab extra* as are proposed in your note. You refer to the very limited field over which elementary education has hitherto spread in this country, Although I am not disposed to attach as much weight to it here as you seem to do, still I am by no means blind to that circumstance. But the schoolmaster is abroad. Among the so-called upper classes education has already spread sufficiently wide for all practical purposes connected with the questions we are now dealing with, and from them social reform may be expected to filter down to the classes below them without much difficulty. But I look forward more particularly to female education as our greatest help in the solution of all these social problems. It is to the spread of education among our girls, not the limitation of university honours or official loaves and fishes to certain classes of our boys, that I am inclined to look for the remedies of existing evils. That indicates my view as regards social reforms generally. As regards the particular one now under discussion, I hold to that view even more strongly. The mischief here, as I have endeavoured to show, lies in the custom which has prevailed for centuries, and in that public opinion which has either resulted from, or at least existed along with it. Here, therefore, more than elsewhere, the best results may be expected from educating and refining public opinion. It may be a slow process, but I feel no confidence that upon any of the other courses recommended the process can be other than slow. We must work as ardently as if our efforts were to be crowned with success at once. But on the other hand, we must be content to take the fruits as they come in the fulness of time, and not be impatient or despondent if the customs which have stood for several centuries do not at once fall of a heap at the blast of our trumpets.

I come next to your second note. It is not necessary that I should go through it with much minuteness. But I may say at once that I find myself unable to accept any of your practical proposals. Your first suggestion seems to me to go no further than Act XV. of 1856, though you seem to think that it does. And when you say that what you ask for is little more than that the "existing provision be made known to the victims and enforced in their favour by all possible means," I must point out that you are assuming that Hindu widows are anxious to remarry, but are prevented from doing so by external force or pressure. This is a mistake, the "victims" are willing "victims" in the vast majority of cases. The public opinion of those among whom they live, move, and have their being has engraved on their minds too deeply the notion of the "impiety" of remarriage for them even to think of it as the appropriate remedy for their unhappy lot. And they will not welcome as friends those philanthropists who shall personally make the "existing provision" in their favour "known" to them. Your second and third proposals proceed on the same incorrect assumption, and they are further objectionable inasmuch as, while they will afford a powerful weapon for disturbing the peace of many families, they will be quite powerless, in my judgment, to do any good to those for whose benefit they will be professedly carried out. Lastly, as to excommunication, your proposal is either based on an incorrect assumption, or involves injustice to our orthodox brethren. If you assume that the "priest"—who, by the way, has, as a priest, nothing to do with excommunications—excommunicates all the relatives of the parties to a remarriage, whether they take any part directly or indirectly in the proceedings or not, you are mistaken. If, on the other hand, you propose that there should be no excommunication even for those who do take part in such a proceeding, then you substitute for what you call the tyranny of caste, the tyranny of a foreign Government or of the minority of a caste. I have not the smallest sympathy with the tyranny of caste, but I have as little with tyranny over a caste. And I maintain that it would be tyrannising over caste to wrest out of its hands the power of excommunication. As Sir Joseph Arnould said in the famous *Aga Khan Case*:—"In fact, in every community, whether of a religious

nature or not,—whether church or chapel, caste or club—there must, as requisite for the preservation of a community and as inherent in the very conception of a community, necessarily exist a power—not, indeed, to be exerted except in extreme cases and on justifying grounds—of depriving of the privileges of membership those who persistently refuse, after due notice and warning, to comply with those ascertained conditions of membership to which, by the very fact of being members of the community, they must be held to have given an implied, if not an express, consent." That is the doctrine which I hold, and, paradoxical as it may seem, I hold it not merely as being what is demanded by considerations of justice, but also as being that which under our present conditions, must accelerate the decline and fall of caste as a power hostile to progress.

There are sundry points in your notes which are of some importance in themselves, though of minor importance as compared with the two I have here dealt with. I am, however, unwilling to delay this letter for the consideration of them. As it is, this letter has been written in patches, in the intervals of other work, of which fact, I am afraid, there is ample internal evidence in the way it has been put together. I must therefore forego the discussion of the other topics referred to. There is only one point on which I should like to say one word before I conclude. One of your correspondents, one holding a high position in the Indian Government, has warned us against trying to improve him and his countrymen, and advised us to put our own houses in order. Perhaps he does not know that our orthodox brethren give us the same advice, and the same warning, from an opposite standpoint. Sir Auckland Colvin warns us away from politics. "Hence avaunt! 'tis holy ground," he seems to say. Our orthodox brethren warn us away with at least equal earnestness and equal solemnity from the field of social and religious reform. The latter pray in aid "the wisdom of our ancestors" and the justification of our usages by existence, as they phrase it, "from time immemorial." The former rely similarly on the superiority of the Western civilization and the breakdown of the Oriental in the presence of it. Which of these guides shall we follow?—or shall we not, in all humility, decline to follow either exclusively, and say that both politics and social reform are proper fields for us to work in? Shall we not hold that the same spirit, the outgivings of which in politics rouse the ire of Sir Auckland Colvin, must manifest itself and is manifesting itself, in social and religious matters, to the utter disgust of our orthodox friends? And shall we not hold, further, that it is vain to say to it, "Thus far shalt thou go, and no further"—whether at the one point or at the other? I venture to submit to Sir Auckland Colvin, and all others who think with him, that the true principle on this subject is laid down by one of his own countrymen, one whom, at all events, I would make no attempt to "improve," even if I felt inclined as Sir Auckland Colvin thinks we all feel inclined to try to "improve" his other countrymen. "Submission," says Herbert Spencer, "whether to Government, to the dogmas of ecclesiastics, or to that code of behaviour which society at large has set up, is essentially of the same nature; and the sentiment which induces resistance to the despotism of rulers, civil or spiritual, likewise induces resistances to the despotism of the world's opinion." I will not further lengthen out this extract, but will content myself by referring to the essay on Manners and Fashion from which it is taken, for a statement of the principles on this subject which, coming from one of Sir Auckland Colvin's countrymen, commend themselves to my humble understanding.

I must now conclude. I have frankly expressed by dissent from many of your specific suggestions. I have also classed myself with those "Let-aloneists" against whom you have argued in the interest of what, in spite of your disclaimer, I cannot distinguish in substance from State action, though it may not be legislative action. From the answers which you have received, it seems clear that your views have been very generally understood in the same way as I understood them. But although I have ventured to express dissent both from your specific remedies and your general point of view, as I have understood it, I cannot conclude this letter without doing myself the pleasure of acknowledge that you deserve general thanks for attracting attention to questions which, to some extent and in some shape, are questions in which all of us, whether Hindus, Parsees, or Mussulmans, are more or less deeply concerned.

Your Sincerely,

K. T. TELANG.



Mr. Malabari's reply:—

Mr. Telang writes at great length, and though length is by no means the least merit of his very thoughtful letter, it precludes me at present from attempting an equally full reply.

Mr. Telang begins by distinguishing between the "first marriage" (the formal ceremony) and the "second marriage" (consummation) or, as I call it, the marriage proper. This will doubtless facilitate a proper understanding of the subject on the part of foreigners. Mr. Telang seems to complain of a confusion of ideas on the point, but I believe that those who have studied the problem with any care always observe the distinction he so well points out. I have myself dealt with the "second marriage" which is, as Mr. Telang says, the practical evil. Further, I may concede that there would be little harm in the "first marriage" *per se* if the pair could be kept apart till fully developed for parental duties. But is that possible in the majority of cases? Our social instincts and habits point altogether the other way. In the case of the favoured, few, such restraint or abstinence may be exercised with advantage. But as to the masses, the nuptial formalities are, I think, a direct inducement in 95 cases out of 100 to a too early consummation. The utmost precaution taken by sensible parents (and their number is extremely limited) fails to keep the pair from mischief. Thus are our youths sacrificed at the altar of an indefensible custom. To them is seldom revealed the glory of perfect manhood or womanhood. From early youth they have to take a leap forward to premature age. The best period for the exercise of patriotism—the service of their country—is wasted in unwholesome indulgence. Thus far, then, for practical purposes Mr. Telang's distinction between the "first marriage" and the "second marriage" will not help us much. Mr. Ranade is a Brahmin out and out, and has pondered over the problem for a quarter of a century more earnestly than most men of his time. And what is his conclusion? Mr. Ranade thinks the Legislature ought to be asked to disallow the marriage of a girl under 11. This is more than I have ventured to suggest. It may be mentioned here, by the way, that Mr. Ranade is not the only Brahmin declaring for the above course or for co-operation from the Executive.

Mr. Telang then refers to the number of ill-sorted unions in India and England. Here, again, I am afraid my friend is missing the point at issue. It is not the proportion or percentage, but the result, with which the practical reformer is concerned. And can any one deny that an unhappy wife in India is infinitely more to be pitied than an unhappy wife in Europe, who enjoys so many social and other advantages? As to the proportion, too, of ill-sorted marriages, I presume it must be much larger in this country than in the West. For one thing, children here are often irrevocably joined long before 11, by which time they are expected to outlive diseases incidental to childhood. The husband or the wife may die before reaching puberty, or become disfigured or incapacitated for life. Again there is very little of what I may call educated sympathy between wife and husband in this country, which is so general in Europe.

Coming to the influence of caste, do I understand Mr. Telang to say that the Mahajan does not excommunicate parents of a girl not married before puberty or immediately after attaining it?

Mr. Telang does not favour my view as to the University (which is not a department of the State) taking the initiative. So far there is an end to the matter between him and me. What he says in support of his own view is sound and reasonable, more so in theory than in practice. Well may we trust to education, especially to female education as a sovereign remedy for most of our social evils. But even accepting education as a panacea, we must remember that it will take centuries before the Indian mother (who is instrumental in maintaining the evil customs in force) is sufficiently educated to discard the errors. What in the meantime? Are we to spurn other agents? As regards results, I do not quite share Mr. Telang's apprehension that the adoption of my proposal by the University is likely to arrest the progress of higher education. And even if it did, I may be pardoned for suggesting that a somewhat slower progress in this direction is not to be particularly regretted, if in the meantime we push on with the education of girls, so as ultimately to establish something like an equilibrium. I yield to none in appreciating the value of academic education for our young men. But there may be such a thing as overdoing it, especially when we think of the backwardness of female education, and the almost total neglect of technical instruction in the country.

Regarding action to be taken by heads of departments, Mr. Telang agrees that the State has a right to insist upon having the best servant. But he adduces very strong reasons why, in his opinion, married candidates ought to be preferred to unmarried. There is much to be said on both sides. And as I am not so anxious for the adoption of this suggestion as for the preceding, I may leave it here to the Executive. But there is one point connected with both these suggestions submitted to the University authorities and heads of departments, which has been generally lost sight of by correspondents—namely, that I propose giving a long notice of five years or more before the rule is enforced. Such notice removes all just grounds of complaint as to “the son suffering for the sins of the father.” I am glad Mr. Telang has seen his way to proposing that prizes and scholarships may be withheld from married students. This proposal commends itself to several correspondents. It is merely aiming at the fringe of the evil. But I must be thankful for small mercies.

It is quite possible, as Mr. Telang points out, that many of the young men joining such an association as I propose may be already married. In that case let them take a pledge, in the presence of an influential body of men, not to marry their children under the fixed age, nor to countenance such marriages in other families. To the unmarried members of the association I say—do not marry girls too much under your age. What I mean here is, that their choice should be diverted to eligible widows.

Mr. Telang tries to make short work of my Note on Enforced Widowhood, by repeating the familiar argument that Hindu widows are “willing victims,” and that we cannot, perhaps need not, help them out of their self-imposed martyrdom. Now, I do not deny that there are thousands of widows in India, sheltered by serene and refined associations, who find it easy to “efface themselves,” as my friend Mr. Ranade has it. And there are many more thousands of widows blessed with families of their own, living on the memory of past happiness, who resent the very mention of remarriage. The reformer need not insult these with his sympathy. But what about the mass of Indian widows, young, ignorant, surrounded by evil associations, and often subjected to cruel indignities? What about this large number of girl widows, initiated too early into the mysteries of marital relations, who have barely tasted the cup of social bliss, when it is dashed to the ground? How long are we to go on deceiving ourselves, making a virtue of necessity? By all means reject my remedies if they are worthless. But as to the disease itself, do not let us lull ourselves into a sense of false security. The evil is serious. Our responsibility in regard to it is great. Would it be fair, in order to escape this responsibility, to ignore the existence of the evil or to underrate its effects? By far the safest course for a practical worker would be to look the evil full in the face. It would serve no useful purpose to attempt far-fetched comparisons or to count upon the efficacy of this or that panacea. I am sure Hindu reformers know much better about this than I can tell them. I am prepared to make every allowance for them. The difficulties of a problem are best realised by those who have to work it out. But I fear mine is too rough-hewn a nature to be soothed by the child-like simplicity of some of my Hindu friends, so ready with a confession of helplessness, and with such a boundless faith in the coming millennium when all evils will remedy themselves.

In another place, after some excellent observations, Mr. Telang remarks—“it would be tyrannising over caste to wrest out of its hands the power of excommunication.” Is this the language of an enlightened and far-seeing reformer? I am no wanton opponent of the authority of caste or priest, as I have shown in my second note. But it makes one tremble to think of practically unlimited power, certainly more extensive than is reserved by the State, being left in the hands of an irresponsible clique whose ignorance is measured only by its arrogant disregard of the claims of progressive humanity.

In the course of his exhaustive letter Mr. Telang avowedly omits consideration of two forms of marriage obtaining in parts of the country. These have been generally overlooked as details.

Mr. Telang's remarks on Sir Auckland Colvin's letter are quite pertinent. May I here venture to ask my educated countrymen if we have not been comparatively slow in recognising our social wants and requirements?

I cannot close this hasty note without thanking Mr. Telang for his able and lucid exposition of a problem which has become more difficult of approach, so to say, by

reason of its very familiarity. Let us struggle on with it, and a clue may be had to solution, perhaps, in the lifetime of some of us.

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From NAVALRAM LAKSHMIRAM, Esq., Principal Rajkot Training College,—dated Rajkot, October 1884.

MY DEAR MR. MALABARI,

I look upon early marriage as the curse of Aryavarta, which, deteriorating its noble race, has contributed so greatly to its complete effacement as a nation from the political world. Its disastrous influences are still at work in almost every family in one form or another throughout the length and breadth of Gujarat\* at least, as I can testify from my own personal knowledge. The evil is, of course, more prevalent in towns and among the upper classes, but anywhere it will be a real phenomenon to see a girl of 14 who is not already married. Generally all classes give away their daughters in marriage before they have completed their eleventh year. The age at which boys marry is different in different classes, I allow, but it is a notorious fact that every Hindu is ambitious of marrying his sons as well as daughters at as early an age as he can, and it is only the difficulty of obtaining a suitable match, or the want of necessary pecuniary means, that occasionally prevents him from carrying out the one grand object of his sublunary existence! The common saying "my children were betrothed while in their cradle yet" is the proud expression of the completely satisfied aspiration of a Gujarati parent. I am afraid of being disbelieved by a foreigner when I say that sometimes betrothals are made even before the children are born, but such is the actual fact, of which anybody can convince himself by a little inquiry at Ahmedabad or some other place where Kadwa Kunbees (who have this peculiar custom) are congregated in any large numbers.

It is, however, some comfort to find that religious prejudices, which invariably come in the way of every reform amongst us, are almost entirely wanting to support this great curse of India. As far as the marriage of a boy is concerned, it can be incontestably shown, and is allowed by all the Shastrees, that his marriage before the age of 20 at least is against all the expressed or implied rules of the Hindu scriptures. There is one foolish text, I know, which enjoins the marriage of every girl before she is eleven years old; but it confessedly refers to the first marriage. So we need not mind it at all, since the other provisions of the Shastrees are so much in our favour; and we can well afford to take a perfectly orthodox ground in our present struggles. This is one of my principal reasons why I wish, in our future operations, to keep the subject of early marriage quite distinct from that of enforced widowhood, which is so intimately connected with religious prejudices in the estimation of the people. The elaborate interpretations by Ishwar Chandra of the Hindu law upon the subject of widow-remarriage have done a very important service to the cause, but we must not forget that they have not yet been received as correct by the generality of the Shastrees or the people at large. Many orthodox Hindus will join us in condemning the custom of early marriages, but there is no hope of their countenancing, at present, the remarriage of a widow. The orthodox are so many and so powerful that without their co-operation any social revolution is quite impossible in my humble opinion, and I would not therefore risk our chances of success, which are really great, by associating the prevention of early marriages with any other reform that is looked upon as heterodox by the people. I further believe that the cause will be best served by concentrating the energies of its advocates upon that alone. This is the way in which at least the people of Europe seem to work at present. Particular bodies of men take up particular subjects, and devote their entire energies to them till they succeed, and succeed they must on account of this natural division of social labour. In my humble opinion the reason why our reformers have hitherto failed is that they have attempted many—too many things at a time, which frittered away their energies, and only succeeded in frightening the whole nation from them. It has always been my motto that attempt a little, very little if you like, but that little must be done, and done thoroughly, in spite of all the difficulties and opposition you may encounter.

I would, therefore, propose that a powerful and influential Association be formed at Bombay devoting itself solely to the suppression of early marriage amongst the Gujaratees. It must open its branches at the zillah towns, which may have their sub-branches in every taluka, at as many places as they think advisable. The members must, of

\* When I say Gujarat I don't include Kattywar, where the marriageable age for both sexes is a little higher. The Rajpoots also form a noteworthy exception in many respects.

course, be Hindus, but the patrons and sympathisers, who will form a regular part of the Association, may be of any race or religion. This is intended to provide room for action for the sympathy of European and Parsee gentlemen, who, we know, are willing to assist the cause of Hindu reform, if they only could. Their assistance will be most welcome, and useful in many ways which practical men can easily understand. The hearty sympathy of a European officer in particular will do immense good to the cause in the mofussil. You are perfectly right when you say that our female schools are mainly indebted for their existence to such sympathy in the days of old, when nobody cared to educate his daughters and Government had not yet thought it politic to establish schools for the purpose. Indeed, every good work that was undertaken in those days by the small band of young and enthusiastic but poor, uninfluential reformers, owed its very possibility to the moral support they derived from the sympathy of the Europeans in power, and I fear we are not sufficiently advanced, even at this very date, to be in a position to be able to dispense with it altogether. Even at the present day a public meeting in which the Collector or any other high functionary of the district is expected to preside is more thickly attended and subscriptions pour in, while a meeting that is exclusively native has but slender chances of any success. Such being the case, European sympathy is quite indispensable to our project, and I am sure it is not difficult to get it. If the Europeans have ceased to show any interest in our social reform since some years, the fault lies more on our side than on theirs. The instincts of an Englishman being noble and always on the side of social reform, he can never refuse his hearty sympathy to one who strives to obtain it in the right earnest way.

The pledge-system is not popular I know, but it is the only rational mode of action towards any reform, if any action in concert is thought necessary. It is no new thing in India. The whole caste system is founded upon this principle, and we know what tremendous success it has acquired in its misdirected objects. I don't think a man who wants to earnestly join an Anti-early-marriage Association could have any objection to pledge himself not to marry himself or his children before a certain age. This age can, of course, be fixed upon by a careful consideration of all our social circumstances by the promoters only, but some little experience I have had of this subject will not be considered out of place here. I hope few persons at Bombay know that there is already an Association of this sort working in its own quiet humble way at Ahmedabad since many years. I had the honour to be one of its Secretaries for a time, and therefore what I say here is the result of my own personal knowledge. It has fixed the least marriageable age for a boy at 16, with a certain alternative which the Association under contemplation may omit; but I fear it will not be found practicable to extend the limit any further, though I wish very much to see it raised to 18. As regards the marriage of girls, the Ahmedabad Association simply contents itself with recommending its members to keep their daughters unmarried as long as they could consistently with the Shastras. This is only a round-about way of saying that the Association demands no pledge, but thinks it desirable that the members postpone the marriage of their daughters till they are 11 years old. This is a concession to the strong popular prejudice against any late marriage of a girl, and was quite necessary to start the movement at the time. But we have progressed a little in the interval, and if your Association requires its members not to marry their daughters before they are 11 years old, I think the pledge will not be found so unacceptable by a large majority as we once did.

Soon after the foundation of the Association at Ahmedabad, a similar one was started at Poona, which added one clause more, to the effect that no member who was above forty or so should marry a girl of 11. In other words, it simply meant that they must marry a widow, if they wanted to marry at all. I think this is the rider to which you approvingly allude in your notes; but I may say that when it was placed before the Ahmedabad Association, it was almost unanimously rejected by the general committee. For this reason, and also because I wish this new Association to confine itself to a single reform, and not mix itself with the remarriage question at all, I cannot advise you to adopt the Poona rule.

But I would add a pledge more, of another description altogether, though bearing the greatest possible connection with our main object. I would require the sympathisers as well as the members to refrain from attending any marriage that is celebrated against the rules of the Association in the town. This looks a little puritanical no doubt,

and will be found particularly hard by the natives, who are so fond of the nautches, the processions, and the grand "tamashas" that generally attend a marriage in a rich family. But I think they must forego this pleasure, with pleasure I may say, 'if they really hate early marriage and are earnest in the cause, as every one should be who joins the Association. Their refusal to attend such marriages anywhere will create in time a strong public opinion, and public opinion is the great lever which can uplift and crush to pieces the objectionable customs of a country.

Before I close these remarks I beg to draw your attention to a fact which I have frequently noted with great pain while conversing with many educated men upon the subject of early marriage. They all allowed that it is an evil, but few of them seemed to have realized its enormity. They had no idea that the evil required any prompt remedies on the part of the reformers, and some of them really despised any attempt at such a reform. This state of their feelings towards it has visibly changed during the last few years, and I am sure your present powerful agitation will give the foolish delusion its death-blow. Yet it would be better to bear in mind that the evils of early marriages being not so sensational as to catch the vulgar eye or fancy, they are apt to be ignored by many.

Yours Sincerely,  
NAVALRAM LAKSHMIRAM.

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From W. LEE-WARNER, Esq., C.S., at present Chief Secretary to the Government of Bombay,—dated Simla, the 12th September 1884.

DEAR SIR,

In your first paper you show that infant marriages lead frequently to unhappy unions. Even when the result is otherwise, the early union of the two parties tends to the production of unhealthy and of numerous families. You believe that Hindu society is aware of the social and physical evils of the custom, and you anticipate their satisfaction should Government interfere to check the practice. You doubt whether the Shastras enjoin early marriage; and, if their authority can be quoted in behalf of the custom, you still believe that the authority itself is weakened by the disintegrating forces of modern social progress. Hence, though you do not advocate legislative interference, you urge that the University should discourage such marriages by not allowing married students to appear at the examinations. You would also apply the lever of State patronage to produce the same effect.

I so thoroughly sympathise with the object at which you aim, and concur so entirely in your view of the evil results of infant marriages, that I regret that I cannot agree with you in the remedy. The University should never aim, in my opinion, at leading social reforms, by placing those who do not agree in its teaching under disabilities in regard to its examinations. The function of the University is to teach and to test knowledge; but it is no part of its duty to punish those who hold any particular set of views or follow any particular customs. Its standard is an intellectual one, and it must award its prizes to those whose heads are the best. I see no reason why the University should not accept an endowment for founding a prize for the best essay on the subject of Hindu customs, matrimonial and others: but I do not think it right to impose any tests other than intellectual for its diplomas. In the matter of Government patronage the case is somewhat different. Those whose duty it is to dispense patronage are bound to select the best servants for the State. In determining what is "best" they are not bound, as the University is, to select by the application of a single test. They must consider other qualities besides intellectual, such as moral and even social qualifications. Undoubtedly a married boy is distracted and liable to be irregular, and therefore his marriage, if he is quite young, may place him at a disadvantage. But then there are few appointments for which very young men are eligible, and I do not think any restrictions here would much advance your cause.

On the whole, I see no remedy against infant marriages except the growth of public opinion and a higher tone of morality. As society finds that girls can grow up without the least danger till they are physically and intellectually fit to be mothers, it will be ready to give up the unnecessary safeguard of infant marriage. The education of girls will help more to bring about this result than anything else, and it is a reform which the upper classes of Hindu society must commence.

Your second paper deals with enforced widowhood. Here, too, I agree in your objections to the unnatural practice. I have been told by Hindu gentlemen of high position that infanticide and the crime of abortion are a very common outcome of this most objectionable custom. You recommend that Government should rule that no Hindu girl should be condemned to life-long widowhood against her will, and that every widow should have the right to complain of ill-treatment, and should have facilities afforded her for so doing. But I do not see how any resolution of the Executive, or any declaration of the Legislature, could advance matters. The former would carry no weight, for a paternal Government does not exist in India. If the law, however, made it a crime to compel a girl to remain a widow, the door would be opened to wide abuses. The law must be very careful in invading the circle of the family, or it does incalculable harm. Such a law would probably be inoperative, as it could be evaded at pleasure; but if it did operate, it would do more harm than good by placing society in antagonism to the "law," which society ought always to respect. But there is one direction in which I think legislation might assist. I understand that in certain castes a widow loses a status and privileges which would belong to her were she not a widow. I understand that she is placed under disabilities which affect her right of holding property or of occupying a position which has a money value. I see no reason why she should not have a right of action to sue for the recovery of any rights of which a caste decree deprives her because she is a widow. I think that if you work up the case you may find an opening here for legislative interference.

I hope that my dissent from your remedies will not discourage you. The widows of India deserve the consideration of benevolent reformers. I go further, and dare state that their treatment is unworthy of the intelligence and of the progress of Hindu society. Therefore you do a good service to agitate the question, and I sincerely trust that your pleading may induce the leaders of all Hindu castes to reconsider the customs by the light of modern ideas. For I am convinced that no success will be attained unless Hindu society is carried with the reformers. A social change must proceed from within. It must grow : it cannot be made.

Yours very truly,

W. LEE-WARNER.

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From the same—dated Poona, the 6th July 1885.

MY DEAR MR. MALABARI,

I have often discussed your social question with others. The impression grows that the State might interfere in special localities where the people are ready for it. To me, however, the question presents many difficulties. Lord Lawrence has a great name. He goes further than I do. I gave you therefore the reference, because my personal wishes are wholly on your side. It is only what the Greeks call *Xunesis*, my political instinct (which may be wholly wrong) which makes me lag behind.

Yours Sincerely,

W. LEE-WARNER.

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From MAHOMED KADIR BUX KHAN, Esq., Assistant Commissioner of Loodhiana, and President of the Anjuman-e-Rafahe-am,—dated the 30th September 1884.

DEAR SIR,

I placed your notes on Infant Marriage and Enforced Widowhood before the meeting of the Anjuman-e-Rafahe-am which was held on 7th September, 1884, at Loodhiana. I do not think it out of place to mention here, for your information, that this is one of the most influential societies; and one of its chief aims is to try and introduce reforms amongst the people. On 7th September your notes, which you had sent to your correspondent on the 15th August, were placed before the meeting. As to widow remarriage, the opinions of members varied; but as to infant marriage, the following resolution was passed with one voice:—'This Association heartily sympathises with your views regarding infant marriage, and is desirous of rendering you always every possible assistance in its power to save (the people) from the pernicious effects of the custom.' The

members of this Association have also resolved to secure the co-operation of the officers of the Educational Department, and would try to induce young students of the Punjab to agree not to allow themselves to be married until they have passed the Entrance Examination. The Anjuman hopes that you will always correspond with it.

Yours very truly,  
MAHOMÉD KADIR BUX KHAN.

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From G. E. Ward, Esq., Collector at Jhansi,—dated the 10th September 1884.

DEAR SIR,

I am much obliged to you for sending me your notes on infant marriage and enforced widowhood, which, as well as many of the comments on them in the press, I have read with much interest. You must not be disappointed at the Government not immediately adopting your suggestions. From the nature of things the action of Government must be slow and premeditated. You would find it the same in any other country. So far as I can judge, there seems no danger of the interest which you have aroused being dropped. I would venture to point out one means of continuing the effect upon public opinion which I think would have practical results. There are probably among those interested in the cause many barristers and pleaders of ability. It will be a suitable task for them to examine the existing law so far as it affects the institutions you seek to destroy, and use their efforts to secure justice in individual cases and to obtain definite rulings upon points which are at all obscure. I have known cases in which the husband of a woman married for the second time has been refused redress under Sec. 498 I. P. C. on the ground that the second marriage was not celebrated with the ceremonial prescribed for first marriages. In my opinion this was a decided error, but the point is one upon which a trained advocate might have much to urge. What I wish to point out is, that when the effect of the existing law has been tested by the action of the courts after a systematic exposition of the arguments best calculated to forward your object, and by the accumulation of specific cases in which you are of opinion that the existing law in any way supports the institutions you condemn, or does not act harmoniously with the wishes of the best informed social reformers, you will be in a far better position than you are now to recommend any change in the law, and at the same time public opinion will have been much influenced in your favour. I trust that your national Association for social reform may soon be established, and that it may be truly national. You have pointed out yourself that one requisite of the modern reformer is patience, and another conciliation. If your Association accepts these conditions, be assured that it will not lack sympathy. But I would not be too anxious to secure large numbers or high prestige. A small band of highminded and single-hearted men will effect more than a larger body, among whom there might be room for vanity and dissension. I sincerely wish you success.

Yours truly,  
G. E. WARD.

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From G. H. R. HART, Esq., Private Secretary to H. E. Sir JAMES FERGUSSON, Governor of Bombay—dated Poona, the 29th August 1884.

MY DEAR MR. MALABARI,

I have to thank you for your letter of 19th and its interesting accompaniment which I submitted, as desired, to H. E. the Governor.

You are of course well aware that *Government* do not express an opinion upon that which is not within their functions : and they have never interfered in the social customs of any class of the natives of this country, unless such customs were repugnant to law and decency, as were "Suttee" and religious torture.

Sir James Fergusson's own opinion upon the questions discussed in your papers is that held, he supposes, by *every* European—that infant marriages do violence to nature itself, set at naught the rights of women as human beings, and are calculated to produce manifold evils ; while enforced widowhood entails undeserved misery, and frequently leads to crime.



But it would be contrary to Sir James' ideas of the principles which should guide our government of India to impose these views upon the people. The educated portion of Native society is well aware of them : but while they see that there are drawbacks, if not defects, in their own social rules, they may not think ours perfect. For Government, therefore, officially to enact laws, to impose disqualifications, or even attempt to use their influence, with reference to such matters, would most probably raise or confirm opposition to change, and inevitably induce suspicion of their motives.

Sir James thought the terms of R. B. Mahadev Govind Ranade's letter to you on this subject, which was published in the newspapers, exceedingly wise : and the opinions expressed by Mr. Ranade confirm His Excellency's conviction that reform in such respects, which we count social evils, is best left to the initiative of the leaders of Native society, who in our day have advanced in liberality of thought to an extent which the last generation would not have anticipated.

If, by the liberal education which we have provided and encouraged, we have contributed to such a recognition of evils in social customs and an inclination to their amendment, we have, in His Excellency's opinion, done all that duty requires of us as rulers, and all that it is prudent for us to do with regard to what we should desire to see accomplished.

Government ought to, and does, protect from illegal injury those who break away from social customs not supported by public law : but those social penalties which are not unlawful but are imposed upon the independent must survive until Native public opinion is strong enough to emancipate society. And Sir James does not see that it would be more right for Government in India to take steps to deter young Hindus from early marriage or to encourage widows to remarry, than for Government in England to protect from social ostracism a young lady who married her father's footman, or for Government in France to insist on every husband being the man of his bride's choice.

Believe me

Yours Sincerely,

G. H. R. HART.

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From G. D. B. GRIBBLE, Esqr., retired C. S.—dated Bangalore, December 1884.

MY DEAR MR. MALABARI,

I have only just returned from a long visit to—and found your letter of the 30th October awaiting a reply. I have read your Notes carefully and go almost entirely with you, but would make the following suggestions.

The prohibition of the re-marriage of widows is in reality the main evil. Bad as the marriage of young girls to old men is under any circumstances it would be divested of the greater part of the evils which now attend such a custom if widows were allowed to re-marry. The marriage of young boys to girls older than themselves occurs comparatively speaking rarely and would scarcely require Government interference or indeed a public movement. Where reform is principally needed is in the widow marriage question. Now it seems to me that the point upon which everything turns is the point of property. Tradition says that Suttee was first introduced because wives were in the habit of killing their husbands so as to marry other men they liked better. I am inclined to doubt the truth of this as being opposed to natural laws, but it is perhaps true that widows used to re-marry and take to a new family the property of the deceased husband. Hence perhaps the introduction of Suttee. I fancy that the real objection to the re-marriage of widows now-a-days is not a religious one, but a purely selfish one. It is feared that a widow being her husband's heir, she will, if she marries again, take the husband's property to a new family and thus upset all Hindu ideas of inheritance. The best way to get over this objection would, I think, be for Government to declare that a widow is not entitled to her husband's property, but only to such a share of it as is represented by the maintenance. To this either in a capitalized form, or as a charge on the estate, she should have a right, and should be able to take it to her new husband if she re-marries. If it remains a charge on the deceased husband's estate, it should be made recoverable in the same way as a maintenance under the Criminal Procedure Code. Now I do not think that Government could interfere beyond this point, except perhaps, as you

suggest, by aiding the Association with a grant. An enactment of this kind, however, would clear the way for social combination and reform. The main part of the work and labour will still remain for the people themselves to do, and it is they who must do it. It is in this matter of re-marriage of widows that I anticipate the greatest persecution.

As regards infant marriages I think that Government might very well fix an age below which no marriage is legal. As you suggest, betrothal might take place at any time, but should not be binding until ratified by mutual consent at the legal age.

In these two points I think that Government interference is necessary, but further than this, I think, with due deference, that it would do more harm than good.

As regards encouragement to be given by the Universities and Colleges I see no objection to such a plan. The very name of Bachelor of Arts implied an unmarried state, and there can be no doubt that early marriages act most detrimentally upon a scholastic career. This was long recognized in the English Universities, and until recently a Fellow lost his Fellowship if he married.

In the matter of heads of Departments encouraging the movement by bestowing their patronage on unmarried men, I doubt whether any hard and fast rule can be made. There are, of course, some cases in which marriage renders an official less efficient, as for instance where his employment is of an active character. But if it is sedentary, as for instance a clerk or an accountant, I do not see how the head of the department could object to a married subordinate.

The movement, however, to be really effectual, must be by action from within outwards, not from without inwards, esoteric, not exoteric.

You have deserved well of your country for the courageous manner in which you have stepped forward. What little I can do to help I will gladly do, and shall be happy to subscribe and to work on committee. But I am convinced that the main movers must be the natives themselves, and we must have deeds and not words.

The awkward part of the whole thing is that the case has, as if were, gone into court without a complainant. The persons who really suffer, the women, are silent. Ignorance, prejudice, and priesthood are mighty enemies to fight against, but every nation that wishes to be really free must some day fight the battle out, and every nation that has shown courage, determination, and self-sacrifice, has hitherto won the battle—when those qualities have been absent the battle has been lost.

Yours Sincerely,  
G. D. B. GRIBBLE.

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From Colonel S. S. Jacob—dated Jeypur, the 3rd September 1884.

MY DEAR MR. MALABARI,

I have to acknowledge with thanks your letter dated 18th ultimo, and the printed notes on Infant Marriage and Enforced Widowhood—which I have read with great interest. As regards Infant Marriage I do not think it would do to *forbid* married students going up for University examinations. (Poor fellows, they have enough to bear) but I quite agree with your suggestions that the State might offer special inducements to students who remain single (just as at our own Universities in England); also that University graduates should form themselves into an association to further the project of reform and that the money received from the bridegroom should be deposited in trust for the benefit of the wife.

All you say is deserving of the greatest consideration, but I fear Government will never do anything until it is forced upon them by popular opinion—and the only way to ensure this is by reformers like yourself, whose sole aim in life shall be “love to God and love towards man,” uniting together to form such an association as you have proposed—getting especially the young men of the rising generation to join you—and by example, by public lectures, pamphlets and the Press keeping the subject continually in view. Nothing, I believe, would tend to draw together Native and European—the best of each, race, I mean—as reformation of this sort among the Native race—it would command the sympathy of all good men, and where there is sympathy with one another, how easily all little differences and difficulties disappear, and what race or creed can have a higher motive for life and action than “love to God and love to man”?

I feel it is impossible in a short letter to say a tithe of what the subject deserves or one's feelings prompt one to say.

I only hope you will never despair—because the end seems distant. You never know how your words or example may affect those around you or after you have gone—and that you may have a long life and live to see some fruit at least of your exertions, is my sincere wish.

Sincerely Yours,

S. S. JACOB.

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From DAYARAM GIDUMAL, Esq., C. S.—dated Karachi, January 1885.

MY DEAR MR. MALABARI,

I quite sympathise with you in your noble efforts to achieve two very great social reforms—indeed I can only wonder at those who have no sympathy with you—no sympathy for you. I purpose in this letter to give you a telling instance of direct Governmental interference in Sind with a social custom—and then to suggest to you one or two remedies which have occurred to me. In one of the selections from the Bombay Government Records you are told how Mr. Gibbs, while Assistant Commissioner in Sind, initiated and carried out with the sanction of his chief, a thorough reduction of the scale of Birth, Marriage and Funeral charges, usual amongst the Sayads of Thatta in the Karachi District. On one of his tours he was struck by the poverty to which this once flourishing class of Mahommedans was reduced, and his inquiries convinced him that it was due to the ruinous expenditure which they made a point of incurring on certain occasions. It was the old old story with which you have familiarized us: Custom ruled the roast and beggared its votaries. They were conscious of his tyranny, but had not the moral courage to interfere with his vested rights. How could they set a law to custom which has grown into an immemorial law amongst them? Custom had its sanction—what sanction could their new law possess?—and without a sanction was it not absurd to lay down a rule, nominally binding on all but really binding on none? Several of the Sayads saw plainly the folly of their ways, but they saw also plainly the folly of *individual* efforts in *social* matters. If one or two, or say even twenty, of them had resolved to set their face against these exorbitant outlays, do you fancy the custom would have died out? Why, the result would have been this. The twenty devoted men would have waited, and waited very long indeed, before their daughters could have been taken off their hands. Perhaps they would never have been taken off their hands at all. Intermarriage amongst their children, even if carried on to the farthest possible point, would not have solved the problem—for you seldom come across 20 men with an equal number of sons and daughters *in esse*, and even if you do, you can hardly foretell that they would have an equal number *in posse*. Moreover the twenty might represent various ranks in the social scale—from the possessor of many acres to the possessor of none, from the lord of many rupees to the lord of none—and to expect the former to give their daughters to the latter would be in most cases to expect the impossible. In fact, it would have been evident in less than a year, had any twenty men formed a Social Reform Association at Thatta, that their undertaking was a mistake and a failure. At Hyderabad, Sind, the whole Amil Panchayat, and not twenty of them, mind you, banded themselves to put down marriage and sundry other expenses. They framed an elaborate code, and they worked it for more than a year with what they considered no small success. They improvised a sanction by punishing all defaulters with fine and in the last resort with excommunication. They had a very neat machinery for discovering recalcitrant violators of their code and a very simple procedure for bringing them to trial, so to say. The fines they levied amounted to a handsome sum—the women were kept in awe—the men in obedience. But soon a few individuals, intolerant of the Panchayat's interference, braved its anger and refused to pay the fines imposed upon them. Their relations stood by them and a schism was dexterously brought about among the leaders—who being wealthy had not much to lose by the overthrow of the code—and overthrown it was. The experiment has never been tried again. It could not have been tried under happier circumstances. There was wonderful unity at that time among the Amils—itself a great thing. Public opinion among them was decidedly in favour of some such measure as the code, and many are still loyal to it and would willingly join any movement to revive it. There was detective machinery—and there was a sanction, though unfortunately, as the

event proved, not the best of its kind. Excommunication, which was to be resorted to in default of payment of fine, could only be terrible if troublesome. The seceders amongst the Amils were pretty sure that it would not be troublesome, and that even if troublesome, it would not last long. The Amils are decidedly by far the best educated class in Sind—and their old Panchayat had long ceased to exercise any influence on them before it was revived. But the revival, as I have said, was not successful. There were individuals—educated individuals who could shake their fists in the face of the Panchayat and beard it in its very den. They saw no good in restraint,—they even considered it against the laws of political economy as they read it—and positively against the laws of property, to keep the rich and the poor on the same footing and to preserve the scale which suited the latter for the former. Wives complained to their rich husbands that eligible matches had been lost by them for their daughters simply because they would not pay more than the Panchayat allowed, and that the same matches had been secured by their neighbours who were less scrupulous and less faithful to the Panchayat. Thereupon followed prosecutions before this body—and recriminations, and no end of bitter feeling. The poorer Amils complained that the Panchayat had one law for them and quite another for the rich. The rich ones, in their turn, complained that the poorer Amils were taking the shine out of them by the extravagant dowries *they* offered to tempt good families to enter into matrimonial relations with them. All this went on until it culminated in the open breach I have already spoken of. That was the death-knell of the Panchayat, and it broke up never to meet again. The Thatta Sayads were rightly apprehensive of some such *finale* when they told Mr. Gibbs that unless the *Sircar* gave them a law which they might always put forward as a valid pretext, custom was too strong to be defied by them. Mr. Gibbs felt the force of this argument. He consulted General Jacob, who was then Acting Commissioner in Sind, and with his permission, authorised the Mohammedan Munsiff of Karachi—an enlightened gentleman, himself a Sayad, I believe—to hold a parley as it were with the Sayads, to tell them of the Sircar's wish, to settle in conjunction with them a reasonable and moderate schedule of expenses, to annex it to a few simple rules for enforcing the schedule, to invite secretly the co-operation of the leading Sayads, and with their assistance to procure the consent of the whole body of Sayads at Thatta, who were to be assembled in solemn conclave in their historic *Jamma Masjid*, to the rules and the schedule. All this was done—and the rules were eventually approved by the Bombay Government. They authorised the punishment by a Magistrate, with fine, of any violator of the rules. But I believe the Magistracy were never called upon to enforce them. They were accepted as the behest of the supreme power in the land—a behest issued for the best benefit of the men who had to obey it. The benefit was appreciated, since the Sayads themselves made no secret of the relief the rules had brought to them—and to this day they speak of Mr. Gibbs with enthusiasm. These rules were not passed at a deliberative assembly in accordance with the legislative formalities now observed. But I believe they have nevertheless the force of law under the Indian Council's Act which validates all rules passed by competent authority before the passing of that Act—and they may therefore well be treated as an example of direct legislative interference by our Government with the social usage of its subjects.

If we go to first principles, also, I confess I see no objection to consensual legislation of this kind—since as a matter of fact Mr. Gibbs's rules were the embodiment of the wishes of the Sayads themselves. Mill, in that celebrated chapter of his *Political Economy* in which he discusses the limit of Government interference, approves of such legislation. Nay more, his chapters on Peasant Proprietorship show that in several European countries there are compulsory laws prescribing the limit of age at which a male or a female may marry. Some of our social reformers demand much less from the British Government—though in my opinion the best thing Government could do is undoubtedly to follow the precedent of these European countries. Their own Indian Majority Act of 1875 is to a certain extent a precedent also. It went far indeed—but contained a salvo in favour of our Personal Laws in the matter of Marriage, Adoption, and Divorce—though these personal laws were modified in other respects. A short Act—declaratory if you please—of the Hindu law on the subject of marriageable age (since the Hindu law does not favour infant marriages) is all that is required. The age being settled, the easiest and the simplest way of enforcing it would be for the courts to rule all marriages contrary to the statute to be illegal. Or better, far better,

still—a few Sections may be inserted in the Act enabling the Government to call upon the people themselves to elect one or more Honorary Magistrates every year to whom births and prospective marriages should be reported and who should have the power to issue injunctions to prohibit marriages under the statutory age. Births are even now registered by the Municipalities in the Bombay presidency, and I believe elsewhere also. This, together with the work of registering marriages and deaths as well, may be made over to the popular Honorary Magistracy whose election may be made—where our elective Municipalities or Local Boards exist—by the Municipal or Local electors, and wherein they do not exist, by all persons possessing similar qualifications. A law on these lines would be a boon much greater than that abolishing Suttie or Slavery. It would produce much more good, as it would arrest the deterioration of a whole race. It would involve no detailed interference, no administrative meddling—as its enforcement would be left to the people themselves. I think you should agitate for such a law, and I feel sure enlightened Hindus like Mr. Ranade and Sir T. Madhow Row would heartily co-operate with you.

The next best thing that the Government can do is to legislate, whenever considerable communities call upon it to do so, for such communities—in fact in the same way that it gave a special marriage law to the Brahmos. Such legislation might have little symmetry, but it would be perhaps more welcome. It would entail an enormous labour on our patriots, but they are not worth their salt if they cannot carry on a successful campaign against Infant Marriage and induce the people to sign a prayer to Government for such legislation.

But if Government is not at present prepared to promise any such legislation, let it at least give us increased facilities for corporate action in social matters. It has passed an Act for the registration of literary and charitable societies. Why should it not extend this Act to Social Reform Societies? This will enable such bodies to recover their subscriptions by an easy process and give them at the same time an advantageous legal status. There, again, it is doubtful whether an agreement by a member of such a society with the society in its corporate character, to do a certain thing or to abstain from doing a certain thing, will not be treated by our Courts as an agreement without consideration and therefore void. On this point you should invite the opinion of your lawyer friends. If the weight of legal authority confirms my doubt, then I say it is high time for the Legislature to insert an exception in the Contract Act in favour of such agreements. This will enable us to recover penalties from seceders—and indeed prevent such combinations as the Hyderabad Panchayat from ending in a fiasco. It is mainly due to the English Civil and Revenue laws that the Panchayats have lost their power, and I think it is but just to compensate us for the social sanctions these Panchayats formerly possessed by providing us with another enforceable by the Courts. I know in several places the caste is all-powerful; but you will generally find that its power is in the inverse ratio of the education of its members. It is more powerful wherever its members are less educated—and the less educated seldom combine to put down social tyrannies and abuses. The Government should strengthen the hands of the educated classes by enabling them to nail down their members to their promises independently of caste regulations. The help we ask is but trivial, and Government ought not to hesitate to give us this much at least, if it is not willing to cope with the larger questions which you have raised.

Yours Sincerely,

DAYARAM GIDUMAL.

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From A. O. HUME, Esq., formerly Secretary to the Government of India,—dated Simla, January 1885.

MY DEAR MALABARI,

I have read with the most entire sympathy your cogent and eloquent Notes on the evils attendant on infant marriages and enforced widowhood. Privately, for years past, I have strenuously urged on Native friends the necessity of reform in these and other kindred social matters; so that you must not attribute my long delay in answering your letter, enclosing these papers, to any want of interest in the painful subjects to which they relate. Most entirely do I agree with you, that much misery results from these customs; that in the present day, (whatever may have been the case in

times long past) the evil generated by them far outweighs any good with which they can justly be credited—that yearly this disproportion will increase and that their abolition is even now an object in every way worthy to be aimed at.

There is so little genuine unselfish enthusiasm in the world now-a-days, that agreeing thus far with you, I have been unwilling to appear in any way to throw cold water on your zeal, by tendering only a qualified concurrence in your views. But since you continue to insist on a public confession of the faith that is in me, I must in justice to the great national cause, which we both alike have at heart, say distinctly what—rightly or wrongly—I really think about the matter.

In the first place I must say I think you *somewhat* exaggerate the evil results of these traditional institutions. I quite admit that there is full warrant for everything you advance—the terrible evils you refer to are real; but they are not, to my idea, by any means so universal as the ordinary reader of your Notes would, I think, be led to infer. Moreover, though I admit that the evil does, on the whole, outweigh the good, it is not fair to our people to allow it to be supposed that they are so hopelessly blind as to cling to institutions which are utterly and unmitigatedly bad. In the existing state of the Native social problem, no really impartial competent judge will, I believe, deny that in many cases these institutions even yet work fairly well. There are millions of cases in which early marriages are believed to be daily proving happy ones, and in which consummation having been deferred by the parents (and this, my friends say, is the usual case) till a reasonable age (I mean for Asiatic girls) the progeny are, so far as we can judge, perfectly healthy, physically and mentally.

A Native friend writes to me—“The wife, transplanted to her husband’s home at a tender age, forgets the ties that bound her to the parental hearth, and by the time she comes of age, is perfectly naturalized in her adopted family, and though she is allowed no wifely intercourse with her husband until she attains a fitting age, still the husband and wife have constant opportunities of assimilating each other’s natures and growing, as it were, into one, so that when the real marriage takes place the love they feel for each other is not merely passion, but is mingled with far higher and purer feelings. Misfortunes cannot alienate our wives, they have no frowns for us, even though we commit the most heinous crimes or illtreat or sin against themselves. Those ignorant of our inner life call this a vile subjugation and say that we have made our wives our slaves, but those who live amongst us know, that it is the result of that deep-seated affection that springs from early association and religious (if you will, superstitious) teachings. “Where will you find a wife so true and contented as a Hindu’s? Where more purity of thought or more religious fervour than in the Hindu women of respectable families? Our men alas! may be materialists, atheists, immoral, base, but our women are goodness in human shape—and why? because they have been shown an object on which to concentrate the entire love and veneration of their natures at a time when their pure hearts were unsullied by any other impressions or ideas, and taught to look up to their husbands, whose faces they could only look on after many solemn ceremonies, as their guardians, protectors and Gods.”

Everything in this world has its darker and brighter sides and the blackest cloud has some silver lining; and though my friend in his happy husbandhood (for his has been, I know, a happy infant marriage) generalizes too enthusiastically from his own experience, still he has some foundation for his contention; and infant marriage, (though fraught with grievous misery in too many cases, though a custom marked for extinction and daily becoming more and more of an anachronism and more and more of an evil, taking its results as a whole,) has not yet become that unmitigated curse, unrelieved by redeeming features, which, forgive me if I say so, your vigorous onslaught would, it seems to me, lead the European readers to believe.

Do you remember *Uncle Tom’s Cabin*? There was not one incident recorded in that novel, in connection with the grievous iniquities of slavery, for which actual warrant did not exist, and yet the general result was to produce a grossly exaggerated picture of the working of the system. Many look upon that highly coloured narrative as the first seed of the subsequent emancipation of the slaves; personally, I credit it mainly with the perfectly needless slaughter of about half a million of persons. It took hold on the mind of the nation. It grievously angered the Southerners, many of them the kindest and best of masters, beloved beyond measure by their so-called slaves,

It is essential, I think, that we should all try to realise that, closely interwoven in humanity as are the physical intellectual and psychical factors, progress in any direction, to be real or permanent, postulates a corresponding progress in other directions—that though we may, and must, most specially devote our energies to overcoming the particular adversary that circumstances have most immediately opposed to us, we each form but one unit in a force contending against a common foe, whose defeat will depend as much on the success of each of our fellow soldiers as on our own. In the hour of battle it signifies nothing whether a man is in the light or grenadier company, the whole regiment must advance—the individual can do little—it matters not whether one is in the cavalry, artillery, infantry, pioneers or what not, the success of each is the success of all, the defeat of any an additional obstacle to the triumph of the rest.

At present the greatest obstacle to all progress here appears to me to consist in a general failure to realize the essential unity of the cause of reform. You find earnest men whose eyes appear to be closed to everything but the material wants of the people, and to whom the poverty of our population appears to be the one sole evil against which it is necessary to concentrate all efforts. You find equally devoted enthusiasts, who see in the ignorance of the masses the source of all their sufferings and in their intellectual elevation a panacea for all woes. You find men of the purest and highest aspirations, careless to a great extent of both the material and mental wants of the nation, making their sole aim either its moral development or religious culture. There are your social reformers who hold that India is to be saved by the abolition or modification of some evil or obsolete custom or habit, and nailing this flag to their own masts are willing to see the rest of the fleet sink if only their ships forge somewhat ahead. And last, but not least, you have the strong practical men, who, Gallio-like, care for none of these things, but place all their hopes on the realization of their aspirations for the political enfranchisement of their countrymen.

What we want, it seems to me, at the present time most of all is that all these good labourers should understand that they are comrades in one cause, that their aims, though diverse, are not only not antagonistic, but are inextricably interlinked parts of one whole—that if you could multiply tenfold every peasant's means you would serve the country's interests but little did you not simultaneously elevate the mental and moral faculties, so as to secure a wise, prudent, and good use of the money, root out old customs involving its rapid dissipation and confer such a political status as would enable the owners to preserve and protect their newly found wealth—that no great development of brain power is possible on empty stomachs and where men's whole energies have to be devoted to simply satisfying the cravings of these, and that even if possible it would become a positive evil if unaccompanied by moral or spiritual evolution, and by means for gratifying the necessarily resulting political aspirations—that moral culture is best fostered, mankind being what it is, by removing from men's paths those terrible temptations to evil engendered by poverty, hunger, and natural envy of those more fortunate, and that the hope of attaining to the exercise of political functions is often one of the strongest incitements to a higher morality—that the extinction of a few evil customs will avail little without a thorough recast of the social framework, a thing only possible as the result of a general advance along all the other lines—physical, intellectual, psychical and political—and that lastly, nations in the long run always get precisely as good a Government as they deserve, and that no nominal political enfranchisement will in practice prove more than a change of evils unless such an advance has simultaneously or antecedently been made along all these other lines as shall render the country qualified to assimilate its improved political status.

Now, whether rightly or wrongly, it seems to me that sporadic crusades such as that you have now undertaken, not to capture the Holy Land, but merely, destroy one little stronghold of the infidels therein, is an utter waste of power, in so much that even if crowned with momentary success, this would have no permanent result while the Hills that command it and its water supply are still in the hands of the enemy. It would be like our capture of the Redan before the Marmelton was in our allies' hands.

And I think further that such isolated crusades have a distinct tendency to intensify that sectarianism in Reform which, as I have already said, seems to me the chief obstacle to progress. And when you threaten, as you often do, to abandon all other work and devote for the rest of your life your great abilities and energies, your fear-



less honesty and fiery enthusiasm to these two comparatively minor matters, you seem to me, I confess, like a man who should concentrate all his attention and efforts upon a single plank in the bottom of his ship, leaving all the rest to wind and wave, to rock and rot, as Chance may will it.

No doubt specialization goes hand in hand with development; but national reform here is still in the Amoebic stage, and no such specialization as this would imply is as yet practicable. We all remember the statesman who was said to have given to a Party the talents designed to serve mankind. Would you, following this erring example, give to two minor questions those powers designed to serve the national cause as a whole? Believe me it would be not only to inflict on your country an irreparable loss—for there is no other single man whose services she could less easily spare—but it would be a sin against your own soul, like his who hid his talent in the napkin.

One single example will bring home to any thinking mind the extent to which the country suffers, by this premature specialization, and by the absence of co-operation and sympathy, and the lack of unity of purpose, amongst even true would-be-reformers, working in different, and even in the same directions. In this age of materialism, when existing faiths, Eastern and Western, seem alike losing all vital hold upon the hearts of their votaries, when the glamour of this material world seems to blind mankind to the existence of other states, of which this present life is but an infinitesimal fragment—when “eat and drink and be merry, for to-morrow we die,” seems almost the only *living* creed—there is no one more important question than that of the moral and spiritual culture of the nation. Morality is the sole rock upon which national prosperity can be securely based—all other foundations are but as shifting sands. The old safeguards of national morality here are crumbling into ruin. To teach men once more the beauty and happiness of pure lives and pure thoughts is perhaps the greatest requisite of all if that national regeneration, for which we all sigh, is ever to be more than a dream. Throughout the length and breadth of the land are scattered, thinly it is true, men, the salt of the earth—Hindus, Christians, Mahomedans and other innumerable sects—men to whom pure lives and lofty aspirations are as the air to us grosser mortals; who give their time and hearts, and would gladly give their *lives*, to leading other souls along the holy paths that they have trodden to find peace—men who have really one common object, the moral exaltation of their fellows—men who if they could only widen their sympathies and lovingly band themselves in united action with all those fellow labourers whose real aims, like their own, is the purification of mankind, would in twenty years raise the whole tone of national thought—but who, working on, each in his sectarian groove, not only without aiding, not only without sympathy for, but too often in positive hostility towards, these whom he should hail as comrades and brothers, live and die leaving scarcely a foot-print on the soul-sands of the age.

Who can reckon the incalculable loss that the country sustains by this persistent antagonism of forces, which combined, would transform the nation in a single generation? Let us, who labour on a humbler plane, beware how we allow ourselves to drift into analogous dissociation, and pinning our faiths on no one particular reform, no one special panacea, even if we have not ourselves the opportunity of working in all directions, at least aid, sympathize and co-operate with all who, in any form and in any direction, labour in singleness of heart for the common weal.

The time has not yet come when any of us, few as we are, can rightly take up a single branch of one of many questions and devote to that our entire thoughts and time, careless of all else. Your pet subjects are but side branches of the great question of elevating the status of our women, and cannot, it seems to me, be dissociated, theoretically or practically, from that. The majority of the opposition with which your proposals have been met with in certain Native circles has had its origin in the conviction that our women and girls are not yet sufficiently educated to enable any great change in the social customs which regulate their lives to be safely made, at present.

To me personally, the promotion of female education, (using the word in its broadest sense) as necessarily antecedent to the thorough eradication of the grievous evils you so forcibly depict, appears a more important and immediately pressing question than those selected by you.

I cannot plead guilty to being a benevolent let-alone-ist. I desire to press forward along all the lines, but I am averse to spasmodic onslaughts in isolated directions and I

who, seeing themselves and their institutions wantonly maligned, became all the more resolutely determined to maintain the *statu quo*; (prior to this numbers of the Southerners were themselves considering how emancipation could be gradually brought about). It grievously inflamed the righteous indignation of the New Englanders, and a certain better-minded section of the other northern States—and it led to John Brown and his marching soul and all the “battle, murder and sudden death” that followed. You will be told that the North and South fought over the tariff, and so a large section of the northern States unquestionably did, but these would never have ventured to provoke or accept (for this is a moot point) a civil war but for the enthusiasm of the honest anti-slavery party. But for *Uncle Tom's Cabin*, I fully believe that slavery would have been abolished before now, and without any civil war.

But works of fiction attacking social evils always, it may be said, exaggerate the case, and Charles Reade and Charles Dickens will be pointed to as having equally picked out individual instances of wrong and so presented them as to make them appear the necessary and inevitable results of systems, which, as a matter of fact, by no means invariably led to such serious consequences.

But even if such exaggeration be permissible in works of fiction, and if this high colouring does really do good in the long run (which is at least an arguable point) by attracting and concentrating attention, it certainly does not do this, in my opinion, in the case of grave prosaic state papers, like yours, and rightly or wrongly, my experience and enquiries lead me to believe that in your righteous indignation against wrong and desire to get rid of what is evil, you have depicted that evil in blacker colours than the facts of the case, taken as a whole, really warrant.

As regards the question of enforced widowhood I have in *limine* a somewhat similar objection to take. It is productive of great evils, much unhappiness, much demoralization. It is a custom against which commonsense, and all the best instincts of our nature write, as in the case of slavery, the verdict “*delenda est*.” But with all that, it does not, taking the country as a whole, produce so much evil as might be theoretically inferred. It is bad enough doubtless, but it is not that gigantic cancer at the heart's core of society, that tremendous and cruel evil, the eradication of which is essential as the first step to national regeneration, that the casual reader unacquainted with the intricacies of social life in the East might well conceive it to be from your eloquent and earnest denunciations.

But besides this I have another difficulty. I must divide widows into titular or virgin widows, and real widows. As to the former I have satisfied myself by a careful study of all the authentic and authoritative texts produced on both sides, that there is nothing in the Shastras to prevent *their* remarriage; and there being positively no good that can be even alleged as resulting from enforcing their continued widowhood, while very grave evils unquestionably flow therefrom, I have no hesitation in earnestly pressing and entreating every good Hindu, who loves his family, his fellows or his country, to combine to make remarriages in such cases *customary* and thus, as it were, legislate for themselves on this matter.

For the remarriage of fully married or real widows, I cannot say as much. I entertain no doubt that according to the Shastras, the remarriage of such involved a loss of caste. I regret that this should be so, but I believe it to be the case, and being so, I could press no Hindu brother, who conscientiously accepts these ancient writings, not merely as the teachings of eminently pious men, (and therefore necessarily imperfect, suited only to the time in which they were written and open to correction in the light of a more advanced civilization) but as the immutable commands of the Almighty—I could, I say, ask no such Hindu to do violence to his conscience by transgressing what he believes to be the laws of God, even were the evils resulting from this enforced widowhood tenfold what they are.

Such I would only pray by sympathy and watchful care, by tenderness and love to mitigate so far as may be the lonely lot of the poor women that they are compelled by religious convictions thus to isolate, and by educating all their women, and elevating their mental and moral status, to minimize the inevitable evils, resulting from this enforced, and in the cases of young women, unnatural widowhood. As for those fellows, whose whole lives, redolent of fraud, falsehood, greed or gluttony, show plainly how little they regard the Shastras, and who yet seize upon texts, out of sacred

writings, (every other command of which they disregard when it suits their own purpose) to justify the retention, as ill-used household drudges or unacknowledged concubines, of the poor women entrusted to their care, they are hypocrites whom I hope all brother Hindus, orthodox and unorthodox, will combine to reward as they merit.

No! let the real believer, who lives honestly and truly by his Shastras, still keep his widowed daughter or daughter-in-law unmarried according to his creed—in such a house, no harm will come to her. It may seem hard upon the poor girl—but in a truly pious household trials are but the seeds of future glories. But let the hypocrite who, whenever he seeks the gratification of his own vices or passions, disregards the sacred commands he pretends to accept, though making a great show of reverencing them *when it suits his purpose*, remember, that call it by what name men will, there is a retribution for all wrong and that he shall surely himself suffer for all the suffering he causes, and for all the sin and sorrow this may evolve.

In the second place, besides holding that obnoxious as are the customs against which you take arms, you have somewhat exaggerated the magnitude and universality of the evils to which they give rise, I cannot but fear that your method of thus attacking particular branches of a larger question, as if they could be successfully isolated and dealt with as distinct entities, is calculated to mislead the public, to confuse their conceptions of proportion, to entail loss of power and intensify what seems to me at this present moment to be the most serious obstacle to real National progress.

I do not ignore the fact that in our practical work we may, and often must, adopt the moral of the fagot fable and proceed to break the sticks one by one, but we must all from the outset realize the entire fagot and set before us as our ultimate aim and end, not the fracture of the one stick, but the destruction of the entire bundle.

But to me it seems that you put forward these two unquestionably desirable reforms, as if they were the most momentous questions of the day, and as if on them hinged the national regeneration, whereas they are mere fractional parts which can never be successfully manipulated by themselves, and which even if they could be so treated, would not, independently of progress in other directions, produce any very marked results *quo ad* the country as a whole.

The tendency of your Notes must be, I fear, to give all your readers a somewhat exaggerated and disproportioned idea of the importance of these matters, themselves only branches of the larger question of raising the status of our women generally, itself again only one of many essential factors in National progress.

Moreover, pressing these isolated points so strongly, as if they were obligatory and stood by themselves, and not as mere optional sections of a general enterprize, has certainly temporarily alienated some who would cordially have co-operated in many other sections. Now we cannot afford to alienate a single possible coadjutor, and it is only by starting on a platform co-extensive with the aspirations of the country that we can hope to secure the co-operation of even the majority of that powerful (though numerically small) body of earnest workers who have learnt to look in one direction or another, outside the sordid veil of "self" that still darkens the perceptions of their brethren.

The earnest and unselfish labourers for Progress in this country constitute but an infinitesimal fraction of the population, a fraction that becomes absolutely inappreciable if further subdivided. If, then, any real results are to be achieved, it can only be by linking together all those who love the light and would fain push the darkness further back, in a common effort against the common evil.

Doubtless, division of labour is the seed of Progress, and throughout the universe specialization goes hand in hand with development. We may expect different minds to devote themselves more especially to different sections of the work, but they must be taken up as integral parts of the whole, subordinate portions of the common enterprize in which all are interested.

As it is, in consequence of the all-pervading spirit of division of labour, the minds of our reformers are, as a rule, too exclusively turned to individual abuses and too little in sympathy with the aspirations of fellow-workers struggling against other forms of wrong; and our first aim should be to infuse a spirit of catholicity into the entire body of those willing to labour, in *any* direction, for the common weal.

believe that for our entire work, and *à fortiori* for each fragmentary portion thereof, *festina lente* is the true motto.

Having alluded to female education, pardon me if before closing I say a few words on a subject too generally overlooked, *viz.*, the intimate connection that exists between the elevation of the status of our women, and that political enfranchisement for which alone so many of our ablest co-workers think it worth while to labour; it will illustrate my previous contention as to the essential one-ness of the cause of national reform. I will not argue with my Native friends, who twit me with Divorce Courts and Hill-station scandals, whether our modern so-called education does render European women as a whole less liable to fall. I will not argue with them as to whether, taking households by the million, there is more chastity in the East or the West. Thank God I have known of thousands of pure households in both—and everywhere so long as this race of man exists, there will be weak women whom no education can touch, and wicked men, and whether there be more of these in this or that nation no mortal man is really qualified to judge; and this moreover is wholly beyond the present question, since all will admit that a *properly* educated woman, whose mental and moral faculties have been thoroughly developed, must necessarily be less liable to err than one who remains uneducated. I by no means set up the average education of European girls as all that could be desired—all I ask for is a really good education for all Indian girls, and if the European system is defective let us improve upon it and adopt a more perfect one.

But what I do desire to make plain is that without the proper education of our females, without their elevation to their natural and rightful position, no great and permanent political progress can be hoped for. It is by such education alone that the national intellect can be completed and the East put in a position to compete fairly with the West.

As in the individual there are two brains whose harmonious co-operation is essential to the best mental work, so in the nation are there two intellects, the male and the female, whose equipoised interaction is indispensable to the evolution of a wise national conduct.

The male intellect, however cultivated, still remains imperfect until supplemented by that of the educated woman. Mill's essay on Liberty—his grandest work—owes its perfection, I firmly believe, as asserted by its author, to his long discussions of the subject with a highly educated lady. A nation whose women are uneducated, let its men have all possible culture, still goes into the world's battle with only one arm.

The superiority of Western over Eastern nations, (and in many matters this is beyond dispute) is mainly due to the fact that in the former both the female and the male mind are brought to bear upon all great public questions. Ladies, it is true, do not as yet sit in the House of Commons, but there is not a vote taken in that House on any important national question which has not been fully as much influenced by the female as by the male minds of the educated classes.

In a despotically governed country where the Sovereign associates with himself one or more highly intellectual, if perhaps only self-educated women, the evil of the general mental degradation of the females of the country may not so distinctly and directly react on the public policy; but where by the spread of liberal institutions the popular voice becomes, as it is even here becoming day by day, a more and more powerful factor in the direction of public affairs, the community which retains its women uneducated and deliberately deprives itself of their intellectual co-operation, can never hope to compete successfully with others in which public policy is the joint product of the cultivated male and female mind.

Political reformers of all shades of opinion should never forget that unless the elevation of the female element in the nation proceeds *pari passu* with their work, all their labour for the political enfranchisement of the country will prove vain; and in so far as the two customs against which you righteously inveigh tend *inter alia* to depress that element, all are bound to sympathize with and support you in your proposed reforms: not overrating their importance, not pressing them too furiously before their time is ripe, but accepting them as two, amongst several, reforms by which our women must be raised to their rightful status, before India, whether still affiliated to England or not, can become either truly prosperous or truly free.

In conclusion, I must apologize for the length of this rambling letter and even more so for presuming thus to differ in some degree from one so much better entitled to speak with authority than myself. But you insisted on having my thoughts on the subject, and right or wrong, in all their natural ruggedness, you have them now.

Yours Sincerely,

A. O. HUME.

Mr. Malabari's reply :—

It is impossible to cope with this formidable dissertation just now, but I cannot allow the important side issues raised to go unchallenged for a week. Mr. Hume is entirely at one with me as to the necessity of social and kindred reform as essential to national regeneration. His views are also in complete harmony with mine in regard to these wretched marriage customs, our difference being merely one of degree.

Mr. Hume thinks (he is by no means sure) that I have "somewhat exaggerated" the result of the evils. Some of the best Hindu authorities do not think so. My own feeling is that I have understated the case of my Hindu sisters, as a matter of policy. Mr Hume assures me that many infant marriages turn out happy. I have myself said so in my Notes. It is, indeed, a marvel that under the circumstances there, should be so much of quiet contentedness amongst our women. I need not enlarge here upon the causes. Suffice it to say that if women in India are "happy," they are happy only after a fashion. The wife is a pretty little creature, a sweet thing, a dear inoffensive animal to be petted and got pleasure out of; and when she becomes a mother she is of course a useful domestic drudge, God bless her. And that is all. She has no right or privilege save on sufferance; she has no self-respect, no hope except what is reflected in the mirror of her lord's face. Can she be happy? Well, yes, in a majority of cases our women are contented, because they do not know to be otherwise. The real question is, can these women, as they are, become the mothers of a great nation, of patriots, warriors, philosophers? However, I must not dilate. Only let us remember that almost all the means of active happiness in life, in the real sense of the word, are wanting for India's women and, therefore, necessarily for her men. Mr. Hume gives an instance, a most enviable ideal. I know a few exceptions like it myself. But these are extremely rare even as exceptions. And if we do not push on with female education in the right direction, the exceptions will become rarer still. Already our educated young men are longing for real wives, for spiritual more than physical partners. To turn to the ideal picture given above of a happy marriage, it reminds one forcibly of the numerous real pictures, girls of tender years torn away from the maternal breast, to be thenceforward at the mercy of the mother-in-law whom they have to serve as bondmaids, to be abused, half-starved, to be made at times the victims of a moral and physical outrage sanctioned by the law, to be forced into premature maternity—all this—the common lot of Indian girls especially of the lower order—all this, I submit, does not look much like *happiness*! As to the assimilation of the husband's nature, and the other beautiful theories, Mr. Hume does not seem to know that in most Native households wife and husband cannot sit together, talk together, eat together in the presence of their elders, even when they have come of age. I am sure my friend knows that the joint family system prevails more or less all over India, the head of the family living in the same house with all his brothers and their wives, all his sons and their wives and the children of both. But I must hurry on, having no wish to hurt the feeling of my brethren or of the impetuous and sanguine philosopher who champions their cause so chivalrously.

Mr. Hume is informed that consummation is deferred in many cases. Not so to my knowledge. That can occur only when the parents of both bride and bridegroom are sufficiently well educated. In the generality of cases, most so amongst the uneducated, parents long for the event which is held to be even more important than the marriage ceremony. And it takes but little knowledge of human nature to see that infant marriage super-induces precocious development in the case of the boy. This means the fellow's ruin. In the case of the girl it is worse, and almost all circumstances conspire to make her a willing accessory to what, on public grounds, I am constrained to denounce as a crime. The best way to prevent premature consummation is by putting down child-marriages.

Mr. Hume says infant marriage is becoming an anachronism. Competent Hindu observers assert that it is becoming more fashionable !

My friend says the questions raised by me are but two minor branches of the one universal problem in India, the Position of Women. Quite so. But I must remind him that my subjects are the real beginnings of the reform he yearns for. He seems to think the education of women is a more pressing necessity. I admit it. But real education, and in fact real national progress all round, is impossible till these two obstacles are removed. How can you educate a girl when she has to be withdrawn from school before eleven, and to be made a wife and a mother soon after ? Besides, the spread of education in India cannot be accelerated by artificial means.

Writing about widows my friend thinks their misery is not so great as I have depicted. In the Notes I have expressly stated that thousands upon thousands of widows lead a contented life of pious usefulness. A good Hindu widow is Charity personified. I have also said that I am not for second marriages, in the case of men or women. So far friends have done me some injustice. If I have deserved it by my subsequent writings I can only bow my head in silent self-reproach. Mr. Hume divides widows into virgins and full widows. To the former he gives an absolute and unconditional right of remarriage; for the latter he says he cannot trifle with the religious or moral convictions of the people. This is fair. I am myself of that opinion. But as a matter of fact the State has already sanctioned remarriage for *all widows*; the State has also swept away the moral or social scruples of society in the matter of Infanticide, Vaccination, Coroner's Inquest and things like that. So that, whatever our private feeling or even conviction, we have to look more to the good of the community. However, I am prepared to waive the point. Let childless widows under thirty be treated as virgin widows, and the difference is squared. Widows with families seldom think of remarriage. And few, indeed, of the younger widows either can efface the memory of their husbands. But for the sake of principle let those who wish it have a second marriage. The State allows it to them; why should society stand in their way, knowing the terrible results of the prohibition ? Whether virgin widows and childless young widows marry again or not is in itself an immaterial question from a public point of view. But the sense of freedom, the very feeling of self-respect, will, as the *Bombay Samachar* clearly pointed out the other day, make a widow's lot less desperate and keep her from going wrong. She will have hope to brighten her prison life, voluntary or otherwise. Celibacy in that case will be conscious martyrdom for her; it will be an honour to her and her race. Surely it is not too much we ask for ?

Further on Mr. Hume raises a vast question which I cannot so much as even touch upon in this place—the question of Co-operative *versus* Specialised national effort. The problem is not quite new to me; but my friend puts it here in a novel light. His views, so lucidly and trenchantly enforced, command respectful study. With most of them I am generally at one. But, as I hope to show at leisure, there is one consideration that weighs much with me against blind Combination. Personally I have seldom failed to show that where there is honest work to do for the people I am ready to be at it with as much zeal as if I had no special work of my own, of minor importance as my friend calls it, or of supreme importance for a beginning, as I take it to be. Before closing this reply, I appeal to my compatriots to earnestly ponder over the concluding portion of Mr. Hume's letter which conveys the experiences of a mature and spotless manhood peculiarly Indian, mellowing—not decaying, as is too often the case with us Indians—with the advance of years.

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From the REV. DR. MURDOCH,—dated Madras, the 23rd February 1885.

SIR,

I have read with deep interest many of the letters addressed to you on the important subject of Social Reform. You may be heartily congratulated on the success of the movement. I trust the valuable papers you have obtained from some of the ablest and most influential men in India of all classes will be embodied in a permanent volume.

Probably several of your correspondents have referred to "Education as a means of promoting Social Reform," but it deserves, in addition, a special letter.

The Germans say, "Whatever you would put into the life of a nation, put into its

schools." What you would put into the *schools*, put into the *school-books*. The children not only read the lessons, but have, in addition, the explanations and remarks of the teacher. The late Dr. Duff, of Calcutta, was one of the ablest and most successful educationists in India. His opinion about school-books is as follows :—

"Give me," says one, 'the songs of a country, and I will let any one else make its laws.' 'Give me,' says another, 'the school-books of a country, and I will let any one else make both its songs and its laws.' That early impressions—impressions co-eval with the first dawnings of intelligence, impressions made when a new world is opening with the freshness of morning upon the soul—are at once the most vivid and most indelible, has passed into a proverb."

Throughout the whole school course there should be lessons in the reading-books on Social Reform, adapted to the age and intelligence of the classes in which they are used.

Some children do not get beyond the First Book. As female education lies at the root of the improvement, it might be noticed even in the Primer, and amplified lessons on the subject might be given in succeeding Readers.

The dignity of labour and a horror of debt should be sought to be inculcated even from the commencement. It is lamentable to think what a large proportion of the earnings of the industrious poor goes to money-lenders. From early times India has been called "the grave of the precious metals." The value of the silver and gold locked up in jewels must amount to at least 200 crores of rupees. At 12 *per cent* interest, it would pay the land revenue of British India. The custom also leads to many robberies and murders.

The development of the resources of India by improved agriculture and manufactures, carried on with modern appliances, should receive attention in the more advanced books.

The ruinous expenditure at marriages, the evils of early marriages, the marriage of widows and their cruel treatment at present, are very important topics. Some of them would require delicate handling to avoid giving offence. Still, it seems possible to notice them with advantage.

In Government Reading Books, caste could not be directly taken up, but the "brotherhood of men" might be taught. Probably Hindus would not object to the following quotation from the *Mahabharata*.

"Small souls inquire, 'Belongs this man  
To our own race, or class, or clan?'  
But larger hearted men embrace  
As brothers all the human race."

Some years ago the *Gujarat Mitra* complained that teachers made no efforts to check the use of improper language. The abominations of the Holi are a national disgrace. This is another point which might receive attention.

It is to be regretted that the cause of Social Reform has received so little direct help from education in India. In many English institutions, home books, prepared for a different zone, are used. Some of the most crying evils in this country are thus altogether unnoticed. For years I have been attempting to urge that school books should be adapted to promote the material, social and moral progress of India. The success met with has been limited, but the movement you have inaugurated renders me more hopeful about the future. To give a better idea of what is proposed I forward a copy of *The Indian Teaching Manual* and a set of the *Reading Books* published on this principle by the Christian Vernacular Education Society. The books are intended for Mission Schools and contain Christian teaching, but the subjects noticed above might be taken up in Government Readers. It is admitted that this is done in a few cases already, but fuller and more systematic lessons are required.

Although there are some "Rocks Ahead," perhaps the outlook in India was never more encouraging than at present.

"The old order changeth, yielding place to new." Political Reforms should be brought about in India in the same way as in England,

"Where freedom broadens slowly down  
From precedent to precedent."



The best way to reform a nation is for each man to reform himself. Then, as Carlyle grimly says, there will "be one rascal less in the world."

Yours faithfully,  
JOHN MURDOCH.

From the same,—dated Madras the 26th January 1887.

DEAR SIR,

Thanks for your letter.

When I congratulated you on your "success," I only meant that as a social reformer you had achieved greater results than any other in India. I never expected you would carry the measure by a *coup de main*. But virtually the cause is won. You have the intellect of the country on your side, and victory will follow sooner or later. The anti-slavery war occupied Wilberforce nearly half a century, and your enterprise is one of far greater difficulty. *Nil desperandum!*

With every good wish

Yours faithfully,  
J. MURDOCH.

From R. RAMPRASAD TIVARI, Esq., Municipal Commissioner,—dated Mysore, December 1884.

SIR,

I was gratified to read your valuable and spirited Notes on "Infant Marriages and Enforced Widowhood." They are of great service to India. The following observations occurring to my mind are submitted for publication.

NOTE I.

1. (Page 2.) "Too early consummation of the nuptial troth, the breaking down of constitutions and the ushering in of disease." Whenever I thought of the Prussian and French martial law, that every male adult in the respective Empires should serve in the army for a certain term, the idea always struck me that so long as infant marriages are allowed our country will not produce able-bodied men, strong-minded statesmen and firm-willed rulers: and I would certainly attribute our national weakness, "want of unity," to this constitutional weakness of ours. These are the rule; but there are honourable and rare exceptions. The degeneration has apparently been at work since the age when *Rishis* and the contemporary sovereigns and *pradhans* lived and the Indian learning, arts and sciences flourished.

2. So far as I can conceive, the only argument, (fallacy though it be) whereupon "early marriage" may be based is that parents and relatives took a delight in the infants, living dolls, playfully (perhaps they thought innocently) going through the sham ceremonies. It is certainly high time that something takes the place of sham engagements.

The law is that with his entry into the second stage of life of *Bhranhacharya* Ashrama by Upanayana, the lad should receive education and befit himself to earn a living before he thinks of marrying.

Our old *Rishis*, the authors of *Shastras*, were really devout and in all their writings always had the well-being of the individual as well as of the community in general at heart, as contrasted with the present class of priest or *Shastris* who cannot keep up with the intelligence of the day, but shelves himself towards ignorance, and is consequently bigoted, conceited and unreasonable. The *Shastras*, I think, are the outcome of the proceedings of some conference of the *Rishis* or learned sages, or the philosophical and historical researches of the most enlightened amongst them, showing the customs of the different provinces in India with their opinion as to which was best suited for the good of the society at the time: and religious colour was given to such writings as the writers were religious heads of the community to inspire awe.

NOTE II.

Page 2. "The priest is a friend of the caste, the custodian of its honour and integrity." If the priest is truly such a sacred personage, rather than raising the least objection he would help us to further our propositions, viz, improvement in the age of marrying couples, and the remarriage of girls who lost their husbands before the consummation of nuptials. The status of the priest class is not very creditable. How

many instances do we know of the associates of such priests (occasionally of the priests themselves) leading dishonourable lives. .... If the priest had honourably kept up his position, studied the times as the custodian of our honour, he would himself have taken up the questions at issue, saved us the trouble of our warfare with him and in a fatherly spirit allowed us to employ our time and energy on other useful pursuits, instead of coming in our way of advancement on every side. We know the magical influence of "Sircar" on the mass. The best course to be pursued in this case appears to me to be that Government direct their officers to cautiously lay the matter before the several Mutts or religious institutions and suggest that time has arrived to relieve the national misery at least so far as their own doctrines permit; and I am sure Government will have a ready response.

The propositions by the Madras Association, headed by the talented Dewan Bahadur Raghoonath Row, are quite reasonable and allowed by early authorities, viz., that we should not marry a girl under 10 years and boy under 15 years and that a girl can be remarried if she unfortunately loses the betrothed before consummation.

Meanwhile the publication of tracts and articles in vernacular papers on the subject and the endeavours of Associations will go far to prepare the public mind to view the question in a liberal light.

Finally, I do think we have a hold on Government on the one hand and our priest class on the other. The former interfered with our religious ordinances and prohibited "Satti and Infanticide" and the latter acquiesced in the prohibitions. They are both the custodians of our honour and integrity, and as such, must relieve us from lasting misery and sin.

Yours truly,  
M. RAMPRASAD TIVARI.

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From B. V. JOSHI, Esq.,—dated Mount Abu, January 1885.

SIR,

Let an institution be started without any loss of time, where a Hindu widow will be afforded all the safeguards against immorality and where she will be trained in some useful branch of human industry and given a home for all her life. I am sure if such an institution be once started, endowments will be pouring in, and many men who have the misfortune to have a widowed daughter will be but too ready to vest the custody of their daughters or daughters-in-law in such an institution with provision for their lives, if necessary.

If you will direct your efforts in the above direction, I am sure you will establish your claims on the gratitude of the whole high-caste Hindu society.

Such an asylum as above proposed, established, say, one at Poona and another at Ahmedabad, would be productive of immense good as far as the Bombay Presidency is concerned, and then the other Presidencies, I am sure, would follow in the wake.

Yours truly,  
B. V. JOSHI.

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A Minute by CHHOTALAL SEVAKRAM, Esqr. Private Secretary to H. H. the Rão of Cutch,—dated 12th April 1885.

To strike the middle course is the only alternative suggested by Mr. Malabari viz., to devise measures which shall have the effect of discouraging and preventing infant marriages and as Mr. Malabari would also wish that this reform ought not to be forced upon the people in a manner distasteful to them, the question for consideration is what steps should be taken? If infant marriages are prevented, one of its notable effects will be to save a number of girls from being classed amongst widows at quite an early age; though that will not go a greater way to solve the problem of widow remarriage. It will, however, be some gain, no doubt. It will not do to go with the let-alone-ists in a matter like this. We must be up and doing, and gird our loins to surmount difficulties which must always arise under such circumstances. There is a season for every thing, I admit, and we must for some time wait; but certainly not longer than we ought. The cultivator has got to wait for his rainy season, but he has to put before that time his field in a proper order. We should therefore not to allow this earnest discussion which has gained so deservedly a widespread notoriety, to subside

into oblivion. But as the change cannot be unanimously introduced for a score of years hence at the earliest, I should think we should have recourse to a measure for postponing the consummation of marriage until the boys and girls attain puberty ; and with this object in view a reasonable limit of age might be prescribed. This will be far more feasible, safer and preferable a course to propose, and by far the easier to get all classes of people to conform to it gradually. I do not mean to say that we should stop our preaching and agitating against the institution of Infant Marriages or rather early marriages, to speak more comprehensively. All that I would suggest is, that let us try this remedy which is not far to seek and which will be approved of by all. The evil lies not so much in marriages proper which will then be equivalent to mere betrothals, as in the consummation of marriages. This will strike at the root of the mischief, the canker worm which eats away the substance will starve, and the young progeny will be saved, to a considerable extent, the disastrous consequences we so much deplore.

Another practicable remedy is to fix a certain limit or limits of age, below which no marriage is to take place, and in this behalf, the aid of the Legislature may be sought to the extent that may seem requisite. The plan should thus be carried out. We may consult the majority of a caste as to what would be the minimum limit of age they could conveniently fix for the marriage of their children. The minimum limit should be of 10 for girls and 14 for boys, and if a double standard of age be practicable, for instance that of 12 and 16 respectively, the same may be introduced, and a general law should be framed by Government, providing that no children shall be married under the limit or limits of age fixed by the Legislature and that the benefit of the enactment shall be extended to those castes that would apply for it. This much additional help from Government will not be construed into any interference with the social usages of the Hindus, while it will promote the cause which Mr. Malabari has so earnestly espoused, and strengthen the hands of men of light and leading who would of course be ready to do their best. We would thus steer clear of any State coercion being brought to bear upon the subject.

The custom of enforced widowhood, which inflicts perpetual misery on Hindu widows of the upper classes, is a monstrous evil, far greater than that of early marriages, and as such, ought to enlist the most lively sympathy of the educated and reformer, of the statesman and scholar, of the philanthropist and philosopher, and of the Government, at least so far as to aid the efforts of those who would exert themselves to bring about the emancipation of the tens of thousands of the unfortunate victims. The ground on which Mr. Malabari takes his stand seems to be most reasonable, tenable and favourable. His advocacy savours not of any extreme reform, but recommends an earnest and sympathetic movement in the matter. The part which he would solicit Government to play is simple and of an auxiliary nature, and has nothing about it obnoxious. It cannot be construed into any capricious interference on the part of Government with the social usages of a people. The custom has been denounced on all hands as one fraught with consequences which cannot be too much deplored. Whatever shades of opinion there may exist as to what remedies would be most proper and efficacious to adopt, to save the Hindu society from the moral and physical degeneracy which the custom leads to, nay, from the abyss of misery which it tends to hurl a host of widows into, to rot and writhe. Their forlorn condition, when viewed with a sympathetic consideration, cannot but melt the most adamant heart.

Times are now much altered. The cause is so strong, just and noble, and it only requires a steady, active and a determined movement of national character to ensure glorious results, for which the present generation may be congratulated. The evils of the custom have been discussed and assailed for the last quarter of a century by weapons of literature ; reformers have come forward to advocate the cause, but with very little practical success. Their action, however, was not of the character of a general and combined organization and here lies the chief cause of failure. In the present day we have every reason to be sanguine of better results. Public opinion is much more in favour of such a measure than it was a score of years ago. We can count upon the support and co-operation of not a few sympathisers from all classes and cities. Let us, then, come forward and make vigorous efforts for the rescue of the woe-begone widows. It would be a most chivalrous and philanthropic feat on the part of reformers in this unchivalrous age. The Shastras are not so much to blame as we

suppose them to be. At least they are not immovable rocks, but even if they were at one time, Western light and reasoning have rendered them pliable. The sacerdotal authority and influence is on the decline. However deep-rooted the custom is, it continues to exist, because the caste people are in favour of it and it has come down to them from their ancestors. It is not so much the voice of the priest that preponderates with regard to the penalty to be imposed on the transgression of a particular rule or usage of a caste as to the caste people themselves. Shastras are superseded not only virtually, but as a matter of fact by what is called "rudhi" (custom) which is sometimes founded on no recognized principle either of common sense or religion, though such is not the case with the prohibition of widows' remarriage.

If the Legislature would lay down at the representation of the *élites* of the Hindu community a general law providing that a widow remarriage shall not be punished with excommunication, and that such an enactment would be made applicable to different castes, on the condition of a certain proportion of their number signifying their willingness and consent to benefit by the same, it will answer the requirements of our exigency. In this way, the formidable curse of excommunication will be minimized and gradually nullified, and the harmony of the castes will remain undisturbed. If some such legislation is brought into vogue, it would earn for the State the blessings of the thousands of widows now wallowing in deep distress both of mind and body. What the leaders of each caste should then do is to form themselves into committees and draw up a complete list of all widows belonging to their respective castes, and remarry those widows whose case they consider to be most pitiable, heart-rending and demanding speedy relief.

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From KHEMCHAND M., Esq.,—dated Sukkur, the 10th May 1885.

SIR,

I have read your Note II. dated 23rd October last on Infant Marriage in India. My humble opinion is that Government would be doing their duty should they pass an Act by which marriage of infants not over 16 years of age are stopped. All marriages of boys over 16 years of age should be considered legal, but of course preference should be given to boys who marry at the age of 20, so far as their admission into the service is concerned.

2. It would not be proper to shut out married boys from superior education; these poor youngsters have not married of their own free-will, but have been forced to marry by their parents. Such being the case it would not be just to deprive them of any privileges which are open to their unmarried brethren. I am of opinion that young girls should be forbidden by an Act of the Legislature to marry old and decrepit men, and where such marriages take place the bridegroom and the parents of the bride should be punished.

3. As regards my opinion on Enforced Widowhood I would humbly beg to add to what I have already said that widows who are still too young to judge for themselves should, on their becoming such, be returned to their parents, whose duty it should be to see them remarried. With these maidens the dowry given by their parents on their marriage should be returned to them.

4. I approve of the proposal contained in your suggestion II.

5. Your proposal III has been already discussed by me and I fully concur in all that you have proposed.

6. Proposal IV regarding special educational facilities is a very good one indeed.

Yours truly,

KHEMCHAND M.

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From HIRANAND KHEMSING, Esq.,—dated Sehwan, Sindh, May 1885.

DEAR SIR,

I know that I am rather late in the field; but better late than never. I have been pretty closely following the discussion on these two vital questions which affect the wel-

fare of India more than anything else. I am sorry many intelligent men have, simply for opposing you, because you are a Parsi, gone the length of denying the evils complained of. If these men have had any experience, they wilfully pervert facts, and therefore deserve contempt at your hands; and if they are young, hot-headed, inexperienced persons, their views should be taken for what they are worth. None are more blind than those who won't see, and none are more pitiable than those who refuse the offered shoulder of a benevolent neighbour when they are unable themselves to drag out their mire-stuck cart. I am not of their number. You may set me down as one for Government co-operation.

Our society is divided into castes—and each caste into divisions and sub-divisions—no end to them all. Each has its own language, customs, ways; religious prejudices and sentiments—that often conflict, but rarely agree. United action (from within) of all these castes is extremely difficult. Each community by itself should, therefore, I think, attempt social reforms, paying attention to the customs and sentiments of its own people. Many communities have in this way formed Punchayats which after fair trials have come to nought. *The cause of failure lay in the absence of Government strengthening their hands, and in nothing else.* Each Punchayat or Sabha should, therefore, frame suitable rules and memorialize the Local Government to invest them with a sanction *and the Government should not object to doing so.* This savours a little of exclusiveness, I fear; but it is none the less practical. The idea of a Central Association, patronised by Government, with branches in different localities, each branch having its rules, which may differ in details but not in spirit, comes to the same thing, and is perhaps preferable. No time should be lost in forming such an Association. But who will form it? Why do the leaders wait? Is it too early to take action? The subject has been thoroughly ventilated; with a few exceptions, scarcely worth attention, all have recognised the necessity of dealing a death-blow to these customs; and even the Government have thought fit to take up the matter and to ascertain intelligent public opinion which is already too powerful to be ignored. Why wait, then, any longer?

Whatever be your opinion as regards the beneficial effect of parental action in the contraction of children's marriages, you cannot deny that the way in which our marriages are brought about is the most objectionable. Gold is the chief motive of many parents in our marriages; every other consideration of suitableness, age, education and a fair face being sacrificed to this powerful incentive. On account of extreme divisions of caste, and on account of reluctance or rather impossibility of our marrying from another caste, girls for marriage are generally scarce, and hence follows their sale to the highest bidder. But it is quite the contrary with the Amil community to which I belong. Here we have a regular sale of boys to the highest bidder who has a daughter or two to dispose of. The reason is that the rules of the Amil Punchayat do not prevent them from marrying their *boys* with girls from other Hindu classes of Sind; but a silent stigma is set on him who gives away his girl in an alien, because an inferior class. The Amils are thus free to import girls, but not export their own. The imported girls from such classes as the Khairpuris, Karachi Seths, Hyderabad Baniyas, Bhiriase Mehtas, &c., with large dowries secure husbands; but their own girls with poor dowries are left in the lurch. The numbers of girls and boys for marriage being out of proportion, a sale of boys follows. And what is the result? In order to secure a boy-husband for a girl-wife, most wilful misrepresentations as to her age and qualities are made by her parent's agents commissioned to seek out a match for her, and one does not unfrequently find himself joined to an older wife, and sometimes with one having a personal defect—possibly a leper, a mute or a blind one! But a *blooming* bride mated to a *baby-husband* can ill brook her situation, and owing to our joint-family system criminal relations between her and an elder member of the family or a neighbour is generally inevitable in such unhappy cases.

If the question of Infant Marriage is more practicable, that of Enforced Widowhood is more heart-rending. Don't attempt the one and leave alone the other, on the plea that the solution of one is the solution of the other. I am not for half measures; both questions deserve equal attention. If the situation of the wife is degraded, that of the widow is more ignoble. The latter's amelioration should therefore occupy a greater portion of the attention of the leaders of the movement. By dealing with Infant Marriage you deal with the case of the wife, and her further amelioration is the care of her husband; but the widow is nobody's child. If you don't better her position, she will remain where she is. The magnitude of her misery and the extreme difficulty of a suc-

cessful struggle in her cause makes her case more dear, and therefore should enlist greater sympathy at the hands of reformers and the Government.

Yours faithfully,  
HIRANAND KHEMSING.

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From RAO BAHADUR TIRMALRAO VENKATESHA,—dated Dharwar, the 12th July 1885.

Infant marriages are not authorized by Hindu Law. They are of modern growth and should be suppressed altogether. Boys ought not to be allowed to be married until they are 20, and girls until they are 12 years old. Men should not also be allowed to marry more wives when the first (or any one) wife is alive, unless she has produced no children, or has proved herself to be an adulteress. These proposals are not against the Hindu Law. Men older than 45 years of age should not be allowed to marry young girls under the age of 12 years, unless they leave written permissions, allowing their widows to remarry, in case of their, the old men's, dying before their wives. These provisions will in future prevent young women from becoming widows to the extent that they now do, in the absence of such provisions.

It is advisable that such Hindu widows as may wish to remarry should be allowed to do so. Many young widows are very desirous of remarrying, and their parents and relations would be glad if they, the young widows, were remarried. There are likewise men who would be glad to marry young widows, in preference to infant girls. But none have the courage of openly declaring their wishes and bringing about such remarriages. If they were sure of getting proper encouragement and support, many would remarry at once.

The provisions of Act No. 15 of 1856 are not at all sufficient to bring about such remarriages.

Mere talking, lecturing, and writing to newspapers will do nothing. *Government should take up the matter* and do something to alleviate the distress of the suffering Hindu widows.

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From RAJ H. C. SETH,—dated Jhansi, August 1885.

SIR,

In these days, Western civilization has made so much progress in India, that the educated classes have merely to look around to see what society needs. They earnestly desire to introduce some reforms, but they find many obstacles in their way. In fact, so much internal pressure and adverse influence is exercised that sometimes, with good reasons, educated Hindus have to submit and give up their laudable enterprise in despair. This mischievous impulse comes mostly from the females, who always have an extraordinary influence in directing family affairs. Such is not the case in India alone, but all over the world. Civilized nations themselves cannot deny this, and in fact they call woman the genius of the house. To the females and to the mass of the male Hindu population, Western civilization is still a mystery, and questions of public utility and social reforms are never discussed by them. In the N. W. Provinces, the ratio of educated persons to the uneducated is, I believe, not more than one to every 10,000, while the percentage of those who have received higher education is not even a fraction, and it is only these persons who interest themselves in public topics. In this calculation I do not include the fair sex. Their education is a nominal thing, and if one wanders over the whole Province, a single Hindu lady with higher education will not be found. Time will undoubtedly come when English-knowing persons will be found in every village, mohulla and respectable family, and when the people will be able to stand on their own legs. But such a time is far distant yet, and I see no reason why educated men of these days should not appeal to Government to remove some of those deplorable evils which call for speedy removal.

Every one will admit that the state of our widows is deplorable. They lead a life of misery, and many of them become degraded and criminal. The idea of re-marriage, I know, is hurtful to the feelings of a Hindu, and to make widow marriage compulsory would perhaps shake earth and heaven; but if our children were married at an advanced age rather than what the prevailing custom is, my impression is, that the number of our widows will be reduced to half, if not less. The mortuary returns show that there are

always more deaths among children than adults, and Hindu sons and daughters being generally married at an age when they even do not get over the ordinary diseases of childhood, the result is that many girls become widows before they know what conjugal bliss is, and are forced to pass the best portion of their life in widowhood.

The question is whether Government should interfere in this matter and pass an Act prohibiting ante-puberal marriages.

I know there are patriots who are loud in deprecating Government interference in social or religious matters, while some say, to take up the question would be an act of despotism on the part of Government. To say so is quite easy for our patriots, but let them think for a moment, and say candidly whether it is possible to do anything in this way for a century at least unaided by Government.

I now come to the second point, viz., whether it would be wise for Government to take up the question and pass a law as suggested by me. A civilized Government is not to encourage whims and prejudices ; but to promote the happiness and the best interests of the people is its foremost thought. Say, for argument's sake, that marriage is a part of the Hindu religion. The question is, has not Government even interfered in matters connected with the Hindu religion ? Was not *Sati* a religious obligation ? Had the sacrifice of human life under the *Kashi* saw and the *Jagannath* car nothing to do with religion ? And who stopped them ? The British Government !

Yours truly,

H. C. SETH.

From DR. ATMARAM PANDURANG, late Sheriff of Bombay,—dated 12th September 1885.

MY DEAR MR. MALABARI,

I believe the whole educated portion of the Hindu community must feel itself under a great obligation to you for the agitation your "Notes" have created throughout the length and breadth of the land. I believe also this great question has been uppermost on the mind of all Hindu reformers, ever since it was roused by education, and you know a few have taken practical steps in the matter. The Pandit Vidyasagar of Calcutta, more than a quarter of a century since, performed a few widow marriages, and that he actually spent a fortune in inaugurating them ; and a Widow Marriage Association has been formed in Bombay now more than 20 years ago, and under its auspices too, marriages have taken place also in the teeth of a great orthodox opposition at the commencement, the late Vishnu Shastri Pandit taking the most active part in the movement. I am afraid, however, the efforts of reformers like you and of those that have preceded you will not bear the desired effect until the education of the girls is taken most earnestly in hand ; and so we shall have to rest contented till then with agitation and a few stray practical instances of reforms only. Any work, therefore, coming from whatever quarter, whether small or great, done in the cause of social reform, must in the meantime be received, in my humble opinion, with great thankfulness ; and looking in this light, your present proposal of making a collection of the opinions elicited, at a cost to yourself of so much pains, trial and trouble, has my hearty approval.

Yours Sincerely,

A'TMARAM PANDURANG

From DAYARAM GIDUMAL Esq. C. S.,—dated Karachi, the 13th September 1885.

I have received your Circular, dated 30th August. No one in Sindh, let me assure you, thinks disparagingly of your labours. On the contrary, we are all grateful to you for starting this important movement. We think you should remain at your post. It will be disastrous if you leave it. We know what one earnest man can do—and you have burning earnestness in this cause. Let me, therefore, beseech you not to retire from the noble work which you have so well commenced. I am ready to join the Hindu Committee you propose to start, and to assist in every way I can. We are doing our utmost to rouse public opinion in Sindh, and you will be glad to hear that we have



made no inconsiderable headway. Persevere in your trying mission, and you will not fail.

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From RAO BAHADUR GOPALJI SURBHAI,—dated Rajkot, the 15th September 1885.

Many thanks for your printed letter of the 30th *ultimo*. You have my hearty sympathy with, and full approval of, the views expressed therein. Great credit is due to you for your most disinterested labours in the able advocacy of the holy cause of trying to introduce salutary reforms amongst the Hindu community by eradicating the obnoxious institution of infant marriage and of the prohibition of widow remarriage. Your valuable Notes have already had their good effects in giving rise to general agitation amongst the more intelligent portions of the Hindu communities in different parts of India. Please do not sever your connection with the noble cause even after you have formed the contemplated Committee.

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From LILARAM VATANMAL, Esqr. Subordinate Judge, Karachi District—dated the 18th September 1885.

DEAR SIR,

Allow me to tell you, that you, who have done so much for us already by stirring the whole of India towards the reformation of the two serious evils, should not at this juncture keep yourself in the background and simply take a passive part in the discussion. It is true that you have been grossly misunderstood by some, and culpably abused by others. But it is also true that the majority of right thinking and educated Hindus—not to speak of men of other castes—do most fervently sympathize with you, and will, I dare say, co-operate with you to the best of their powers.

That there may be some errors in your views and in the remedies you have suggested, you yourself, as a conscientious man, have always admitted. But that the two vices you have so ably exposed do exist even to the extent shown by you, is a fact that every educated Hindu of some experience will acknowledge inwardly, if not outwardly. Why is it, then, that you have been so foully abused by some for bringing to light the evils which they *pretend* to think do not exist?—I say *pretend*, for I shall not insult their intelligence by saying that they *really believe* what they write. That the man who succeeds in effecting these reforms will be a great reformer, there is no doubt; but that we should grudge him the victory which is for our own good, and which we cannot ourselves achieve, is a pity!

With all this, Sir, in the interests of your countrymen, if not your co-religionists, you should not desist from this noble task. Even if you are misjudged by the majority—which is not the case—there is no harm. Virtue is its own reward.

Let me assure you that our Sind is, and will ever be, grateful for your disinterested and philanthropic efforts.

Yours very truly,

LILARAM VATANMAL.

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From TILOKCHAND HARAMAL, Esqr., Sub-Judge, Sehwan—dated September 1885.

DEAR SIR,

I have read yours, dated the 30th *ultimo*. I am very thankful to, and sympathize with, you for your precious services in the matter of Infant Marriage and Enforced Widowhood. It is a laudable object. It would be unfortunate, indeed, to drop the question at this stage. I, therefore, request that you will be good enough not to sever your connection with the subject. I am ready to co-operate and remain in the committee.

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From LALA BAIJ NATH, Judge of Agra, at present Chief Justice at Indore, dated the 20th September 1885.

MY DEAR MR. MALABARI,

My Hindu friends here approve of all that you say, and feel the necessity of reform, but they won't take active steps in the matter till they are led by some one who is really in earnest. Yes, I agree with you in thinking that a committee of Hindus, with your-

self as its Secretary, or even as its President, ought to be appointed to take active steps in the matter. This committee should

(1) Collect the opinions of Pandits and the dicta of Shastras as to the legality or otherwise of infant marriage and the prohibition of the remarriage of widows.

(2) Collect and publish in book form all that has up to this time been written upon this subject since you initiated the discussion.

(3) See that *all* the former, and the main portion of the latter, are translated into the principal vernaculars, and circulated freely amongst the masses. I am ready to undertake the Hindi or the Urdu portion, or even both, if necessary. The next step will be to memorialize the Government to appoint a Commission to inquire into the working of the Widow Marriage Act and the ages at which children in various communities were married; and if the result of such a Commission be a concession in favour of the abolition of Infant Marriage and the amendment of the Widow Marriage Act, our way would be very clear. In the meantime it would be infinitely better, if instead of talking about reforms on paper only, we do that as well as make efforts to bring the masses round to our views. I am a great believer in the power of earnest conversation, and whenever and wherever I have talked about this subject earnestly, even to people who were not very intelligent, I found the result to be not disheartening. I think the Government would not refuse to assist us by encouraging the circulation of our pamphlets in schools and colleges, or otherwise marking its approval of them. This, in these backward provinces, would have immediate effect, as it did in the case of female education five and twenty years ago; and even the most conservative and scrupulous Hindu has now little objection to the education of his wife or daughter. But much remains to be done in this direction, and my opinion is that the subjects of female education and medical relief to Native women being cognate to the ones our committee propose to take up, we should have one central committee, consisting of Natives and Europeans, for directing the two latter, and one or two branch committees of Hindus alone for moving for reforms in the customs of widow marriage or infant marriage. In almost all places in these provinces, the work of female education and female medical relief is in the hands of the ladies of the Zenana Mission; but with all their efforts and self-denial, their work does not find as much favour as it ought; and this for the simple reason that the thing rests on a sectarian basis. Once let non-sectarian female teaching and female medical attendance come into vogue, and the result will be marvellous. For instance, it was only the other day that a female medical class was opened in connection with the medical school here; and although the teachers are all males, yet out of some twenty pupils about half are Hindu girls of the *Bania* and *Brahmin* and other high castes, and some of respectable families too. This would show that the old prejudices are fast giving way, and if we but strike whilst the iron is hot, we will achieve something. It is needless to say that a reward much greater than our poor thanks will be yours for the task you have undertaken, and that it may be accomplished is our heartfelt prayer.

Yours Sincerely,

LALA BAIJNATH.

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From NAVALRAI S. Esq.,—dated Hyderabad (Sind), October 1885.

DEAR SIR,

I have seen your printed letter, dated the 30th ultimo. Let me tell you that I fully appreciate your good services, and the Hindu community, in agitating the question of infant marriage and enforced widowhood, take this opportunity of acknowledging them. Your disinterested labours will, I have no doubt, in course of time, bear fruit, and hope and trust that you will continue them. Your suggestion for the formation of a committee of representative Hindu gentlemen is a very good one and will meet with the approval of all who have the interest of their country at heart. But I must beg of you to consent to be the leading spirit of that committee. If you need my co-operation, I shall be very glad to serve on the committee, and if necessary contribute towards the list of printing and circulating the compilation of opinions. I wish you all success and God-speed in your noble work.

From PANDIT BADRI DUTT JOSHI—dated Almora, October 1885.

MY DEAR SIR

The noble and humane work which you have undertaken has the most cordial sympathy of a large section of the intelligent and thinking portion of our community—even of those who are not prepared to co-operate with you. It is not within the means of all to take the lead and to work actively in the cause of a reform like this, but a man whose heart does not beat in harmony with you must be decidedly a low heart.

I have full confidence in your good faith, sincerity, earnestness and devotion to the cause you have undertaken. It is very discreditable to such of our countrymen as cannot take the initiative themselves and will cavil at the work done by others. It is worse than mischievous.

Your proposal to form "a committee of representative Hindu gentlemen" and to get collected "under the auspices and guidance of this committee" "all the opinions published during the present discussion in a condensed form, after careful and impartial editing," &c., is an excellent one; and this volume will form, I trust, a valuable book of reference and a useful guide to those who wish to work out the reform.

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From RAJA SIR T. MADAVA ROW, K. C. S. I., formerly Prime Minister at Baroda—dated Madras, the 16th November 1885.

MY DEAR MR. MALABARI,

- (a) Though I have not been *demonstrative*, I have *fully* and *abundantly* sympathized with you in your noble efforts to bring about *some* reform as respects Infant Marriage and Enforced Widowhood.
- (b) The great danger is lest *the present generation should pass away in total inaction*.
- (c) Legislation is, indeed, difficult, but *not impossible*.
- (d) The Hon. Mr. Ilbert will be here in a day or two, and I'll see him and urge him strongly to take *some* action, *however moderate*. Our great aim should be to dislodge Government from the attitude of utter inaction. It must be made to move, however little.
- (e) We should be content with a small instalment of legislation at the very first, as preferable to nothing at all.
- (f) Would you work and get all friends to work on this simple and well defined line? All efforts should be concentrated on it. Once a movement begins, all the rest will follow in due course.
- (g) Should Mr. Ilbert visit Bombay on his way back to Calcutta, pray lay hold of him and urge, &c., either at Bombay or anywhere near. You may even travel in the same train for some distance to have an opportunity of speaking to him, and I shall be very glad to meet all your railway charges for so doing .....With kindest regards and high esteem.

Yours Sincerely,

T. MADAVA ROW.

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From SIR W. WEDDERBURN, C. S., Chief Secretary to the Government of Bombay—dated January 1886.

MY DEAR MR. MALABARI,

I have read with much interest the correspondence and opinions which you have shown to me on the subject of Infant Marriage and Enforced Widowhood. You also tell me that you think the time has come when the question should be taken up by a Committee of Hindu gentlemen, and you ask me what steps I think ought to be taken. I need not assure you that I cordially sympathize with every effort for social progress; and in reading these papers I am much struck with the success of your labours both in eliciting an expression of opinion from many Indian experts, and in obtaining from officials in high authority a promise of support for your reforms as soon as it becomes evident that such reforms are desired by a substantial body of Indian public opinion. At the same time it must be admitted that, in arousing public interest and in obtaining these important results, a considerable amount of local ill-feeling has been excited even among those of the Hindus by no means unfriendly to reform.

What is now wanted seems to be (1) to allow the ill-feeling to subside, (2) to bring before the Hindu community generally the valuable information which you have collected, and (3) to ascertain what is the actual feeling on these questions and to educate it as far as possible in the right direction. When this enquiry and education has been completed, the materials will then exist for going up to the authorities with the required expression of public opinion. The question therefore is, how the above objects can best be obtained. I quite concur with you that the time has come for placing the matter in the hands of the Hindus themselves. There can be no doubt that these questions are of a most delicate kind, affecting as they do the domestic and religious customs of a very conservative race; so that an outsider, however well intentioned, can hardly touch them without giving offence of a serious nature. The first step, therefore, now is to get the matter taken up by the leaders of the Hindu community. You have plied the whip and spur with much vigour, and the steed is fairly aroused, but there is a danger of its getting out of hand altogether and going off the right track: what is now wanted is that it should be soothed and even coaxed by a hand and voice with which it is familiar.

When, however, we come to consider who the individuals are who should undertake the duty of inquiry and education, a difficulty arises. It has been suggested that a representative Committee should be formed comprising influential members of all shades of opinion, and that under their authority the information already collected should be published together with a statement showing the point which the discussion has reached. But from what I am told this course appears to be impracticable, because if the statement is to command general confidence, it must be drawn up by a Committee representative of all the most important phases of opinion, and even if such a Committee could be formed—perhaps a difficult matter in itself—they would, in all probability, not be able to agree as to the terms of the statement to be published. Another objection is that the Hindu community is so much sub-divided as to caste and locality that the influence of even the best known public men would not, in a social question of this kind, be found effectual beyond their own immediate circle. The best plan seems, therefore, to be to approach each of these caste or local sub-divisions through their own natural leaders, seeking out those among them who are most reasonable and most alive to the evil consequences of the existing customs. In the more advanced groups such leaders would be found without difficulty. In the less advanced it would not be so easy. But in all they would probably be willing to undertake the duty in preference to the present method under which their social system is attacked from outside, so that even the *London Times* discredits the whole Hindu community on account of its social shortcomings. If they will themselves undertake the duty such attacks will naturally cease, and the progress, if slow, will be sure. To furnish materials for the work a selection of your correspondence with the most valuable opinions on each side should be published and translated into the various vernacular languages. It would, I think, be best if this publication could be issued under the authority of Government, but if it has to be done privately I shall be happy to contribute towards the expense.

Yours Sincerely,  
W. WEDDERBURN.

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From W. WORDSWORTH, Esq., C.I.E., Principal Elphinstone College,—dated Bombay, February 1886.  
MY DEAR MR. MALABARI,

Since the interesting conversation which I had with you in the Christmas holidays I have read the correspondence you kindly placed in my hands, and have been considering whether it was in my power, as you seemed to think it was, to give you any assistance in your crusade, as people call it, against the Hindu customs of Infant Marriage and Compulsory Widowhood. But the more I considered the matter, the more doubtful it appeared to me, whether I should be wise to attempt it, or whether I or any person outside the circle of Hindu Belief and Usage was qualified to interfere in these delicate controversies. Perhaps you may think that this sentence is designed to convey an oblique censure on yourself for your vehement advocacy of Hindu Social Reform. But I have no desire to insinuate that you have done no good in following your own line, or that you have stepped beyond your proper province. And even if I thought so, I should still hesitate to condemn you on that score, because I know that you have acted in this matter like one inspired, and that some of the greatest results in this world have been achieved not by calculation, but inspiration.

As an Asiatic and a native of India, you stand much nearer to the Hindus than I do. Your people have adopted some of their habits, and incorporated some elements of Hindu religion, ritual, and philosophy with their own. Naturally, therefore, you understand Hindus much better than I do, and will make fewer mistakes than I should do if I had the courage to admonish them on their social and religious shortcomings. You will perhaps tell me, that the opinion of an Englishman has more weight with one section, at least, of Hindu Society, than the opinion of a Parsi, and that it is my duty to use any influence I may possess in promoting directly and ostensibly those reforms which you, and men like you, have at heart. You will also, perhaps, say that my rather exclusive interest in intellectual emancipation and political progress is a mistake, that the first is hardly desirable, and the second unattainable, without a previous reform in religion, in morals, and family life. Now, as I value reforms of this character not less, I hope, than you do, I am going to tell you briefly why I do not share that opinion, and what my personal judgment of certain Hindu customs is, and why I think that further development, on its present lines, of your crusade against those customs must, as things now are, retard rather than promote reform. It will tend to clearness of thought if I take the two latter points first.

For the purpose I have in view, it is unnecessary that I should touch on any other topics than the two which you have been handling so vigorously. Let me say then that I consider Infant Marriage an irrational practice, and one which must seriously hamper any society that adopts it. I believe that this opinion is held by Hindus who have learned to exercise their reason freely, and that even among the followers of the old learning, there are some who hold it. I listened with keen interest, the other day, to Mr. Raghonath Row's lecture on this subject, and to Mr. Ranade's impressive appeal to his countrymen to accept the platform proposed by the lecturer. It seemed to me that the audience were, on the whole, agreed that Infant and Early Marriages were undesirable, but that their agreement went no further. The condition of that unhappy class, the Child-widows of India, though less pitiable than that of infants married without their own choice or will to aged sensualists, is one which must command universal sympathy, and which no priestly casuistry can excuse or palliate. In a pamphlet by Mr. Raghonath Row, which I have been re-reading lately, there is a passage which portrays in sombre colours the hard lot of these innocent victims, and analyses the theological or metaphysical assumptions on which it is grounded. I have no more reason for questioning the substantial truth of Mr. Raghonath Row's representations than I have for questioning the truth of Manzoni's moving picture in the *Betrothed* of the fate of Italian noble maidens whom aristocratic pride condemned to a cloistered life before they were old enough to make a choice. But I must frankly say that, perverse and cruel as such practices are, I do not believe that their moral and social consequences have been, or are, so disastrous as eager reformers would wish us to believe. I do not believe that Italian Nuns, whose vocation was determined by their parents' choice, were necessarily either miserable or vicious, or that the same can be said of the great majority of Hindu widows. Human nature is marvellously plastic, and a state of life, which many women deliberately adopt, and which extrinsic circumstances impose on a multitude of others in all civilized lands, cannot be without compensating consolations. In those cases where it is sweetened by domestic affections, sustained by religious devotion, or fortified by intellectual passion, I have no doubt, that the lives of those who, from choice or necessity, adopt it, are neither unprofitable nor unhappy. I share, of course, your own judgment of that masculine egotism which has imposed on one-half of the human race in India a law of sacrifice from which the other half is relieved. But the feminine world of India is, I suppose hardly conscious of this inequality, and finds a consolation in self-sacrifice which we can hardly estimate. In India, where for ages the thoughts and habits of men have been controlled and dominated by religious ideas, it is easy to understand how the sacramental or mystical conception of marriage as a binding tie for time and eternity, and the inferences which have been drawn from that conception, should have taken such deep root and possess such enduring vitality. In the primitive Christian society in which this temporal life was also darkened by the overpowering vision of the hereafter, the sacramental conception of marriage was among its earliest developments, and second marriages, as you know, were tolerated and barely tolerated, as concessions, to human weakness. On this subject even St. Paul, in whom practical judgment went hand in hand with mysticism, uses language which strikes harshly on modern ears. If European society had ever been as completely moulded by theological beliefs and

priestly rules as Hindu society has been, I am persuaded that remarriage, or at least the remarriage of women, would have also been prohibited in Europe. If this had been done, European society would certainly have suffered, but not perhaps so much in the direction which you would be inclined to suppose. How far Indian society has suffered, and how far it has gained, if you will concede that it has gained anything, from its peculiar marriage customs, is a problem which no one is in a position to solve. I believe that those customs are inconsistent with the new life into which India is daily being impelled, and that the new ideals of that life no less than its material circumstances and conditions must tell inevitably against them. For these reasons I have never quite shared the impatience which you and other Social Reformers sometimes exhibit, and personally I have also always felt indisposed to join in any open attack on practices or beliefs of whose actual operation and effect I knew so little, and which are so intimately associated with the deepest interests and feelings of the Hindus. Many Hindus who are not indifferent to social reform, have assured me, that direct attacks, by outsiders on their customs or beliefs, commonly do more harm than good. If they contain, as they usually do, exaggerations, they excite indignation, and indignation blinds men to the real magnitude of evils, which in their cooler moments they admit. But beyond this, I am certain that no rhetoric, however pathetic or eloquent, will produce the smallest effect on the solid structure of Hindu habit, and that reason, whether starting from facts or first principles, can only slightly, and for the most part indirectly, affect it. Hindu Belief and Usage are, no more the products of conscious reflection than Christian Theology or our own English religious habits, and are as invulnerable as these are to criticism or irony. Religion and Habit were not created and cannot be destroyed by logic.

You are too well acquainted, I am sure, with the grounds on which these convictions rest to call for further explanations, and clearly this is not the place or time where I can give them. But let me say at once, before I pass on, that I have no thought of putting an absolute veto on efforts like those which you have recently been making. Rationalistic criticism, whether founded on a re-examination of ancient texts, or on moral presumptions, or on social statistics, is not wholly thrown away, because its direct effects are, in most cases, impalpable. It is a part, at least, of the work of the Time-Spirit, and no part of that work is lost. Everywhere it constitutes a specific element in that aggregate of causes, which shapes the character of nations and guides them, as some think, with the stringency of a fore-ordaining fate. Your own work, inspired by pity and passion, has drawn to itself the eyes of men. It must have quickened the sympathies and startled the intelligence of some of your readers, and it has certainly forced many opponents to re-consider their position, and take up new ground. I think, however, that the time has come, when you would act most wisely in suspending, at least for the present, that apostolate of criticism and rebuke which you have assumed. You must see, I think, that the work should now be transferred to the hands of those who are most directly interested in it, to be carried on by the methods which their experience suggests. Sir W. Wedderburn has given reasons in his letter to you why that work cannot be carried on in the way which you and I once thought practicable, by a representative Committee drawn from different castes, and on reflection, I am convinced, that he is right. It seems at least certain that no one is prepared to join such a Committee, or thinks that it would accomplish anything practical. I agree also with Sir W. Wedderburn that the interesting materials you have collected should be translated into the principal Indian dialects and widely circulated throughout India.

And now I have left myself little space to take up the two questions on which I wished, as I said above, to say a few words. They are questions in which I have some personal interest, but it is not on that account that I wish to touch them. I have spoken above of my interest in intellectual emancipation, and I suppose that every one will admit that social reform, with which religious reform is very closely connected, cannot be carried much farther than it has been while authority and tradition retain their present ascendancy. But intellectual emancipation, and the scepticism which is inseparable from it, have a bad name with many excellent people, for whom I have a great respect, and the department of Government, to which I belong, is believed to be peculiarly responsible for them. They are held accountable for the moral license and political insubordination which, we are told, are coming on us in flood. Religious Positivists like Mr. Cotton, the author of *New India*, and Christian Missionaries, join in telling us that the liberal education given in our colleges produces "moral chaos," and

can produce nothing else. Mr. Cotton would, I know, concede that the spiritual reconstruction which he contemplates must be preceded by a period of sceptical activity, but he thinks also that it is not a function of Government to initiate or encourage such activity. The Christian Missionary ought also, I think, to admit as much as Mr. Cotton does, for he cannot hope to persuade men to embrace a new religion before they have become profoundly sceptical about the old. It is also a matter of daily experience that to destroy men's faith in one creed is by no means an infallible method for getting them to accept another. But notwithstanding this consensus of authorities I deny altogether that the education given in our colleges produces moral chaos, and my denial is grounded not on any *a priori* theory, but on a tolerably extensive experience. I hold also that the moral rationalism of the great philosopher of Königsberg, which teaches so imperatively *come l'uom se'terna*, is not inoperative in India, and that for the classes who fill our lecture-rooms it provides a better foundation for a manly and self-respecting life than any new theological importations from Europe could do, or even that singular humanistic religion, a pale shadow of Catholicism, devised by Auguste Comte. That its effects are individual and personal is, in the present circumstances of India, not a defect but a recommendation in my eyes. And, moreover, may it not be said that "moral chaos," if moral chaos then must be, is a stage which men must sometimes traverse to reach a higher platform? This is a view for which historically much might be said. The fifteenth Christian century, the prelude to our rich modern life, was not distinguished for moral strictness; and even Luther, I recollect, admitted that the world of his day had not been improved morally by his revolutionary teaching. Perhaps therefore the reconstruction or reform of Hindu society will never be accomplished, even within the modest limits to which you would perhaps confine it, without a certain diffusion of scepticism, and some temporary relaxation of moral discipline. But I must not pursue this theme further to-day. I dissent also, as you know, from the view which you or some of your friends countenance, that political progress is impossible till Hindu society has been reformed.

Those who profess this opinion cannot have much zeal for political progress, and perhaps in their hearts side with those who think that autocracy is the only form of government suited to India. Against this doctrine I have nothing to say, except that its advocates are, as we say in England, a day too late for the fair. England might have shaped her relations and dealings with India wholly on that principle, but she has not done so, and now it is too late to retrace her steps. It would, in any case, have been a difficult thing to do, so long as her institutions, and what is more important than institutions, the spirit of her people, remain what they are. But my present point is the influence of political activity on social reform, which is a large topic, and one which here I can do no more than glance at. The literary champions of bureaucratic immobility or reaction who, I suspect, would gladly strangle the Free Press, the Municipal Liberties, and University Education of India, if the English people would give them a free hand, are always taunting the political leaders of the people with their indifference to social reform, and counselling them to devote their obnoxious energies to this object. One should learn indeed from one's enemies, but not always, or very often, follow their advice; and I think that I should have little difficulty in discovering reasons, if it was my business to do so, why this particular advice should be rejected. Here I will content myself with saying that a society divided as Hindu society is, and dominated as it is, by religious tradition and priestly law, will never be reformed piece-meal and in detail. New energy must be generated, and new principles of association and sympathy formed and carried forward into resolute deeds. Religion, culture, war have, all at different periods of history, furnished nations with starting points for a new career. But the influence which England is fitted to exercise on others, is stronger in the sphere of positive science and political life than in any of those mentioned above, and it is surely in these departments of human activity that India will display the results of England's impact on her thoughts and habits. It is from the reaction of scientific and political ideas on Hindu society, and, above all, from the authority which the champions and exponents of these ideas will gradually acquire and wield, that I look for changes in the social and religious institutions of the Hindus. I have carefully watched, if not the beginnings, at least the early growth of these new forces, and I must say the spectacle is one full of interest. The drama of history is a long one, and none of us who are now sitting in the theatre will witness the catastrophe. Hope and fear predo-



minate in our breasts, according to the bias we bring with us into the world. But even when Hope is absent, the interest of the mighty drama never slackens, nor the penetrating sympathy which unites the spectators with the actors.

Yours very truly,  
W. WORDSWORTH.

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Mr. Malabari's reply :—

Mr. Wordsworth's letter, of which he has favoured me with a printed copy, is a rare intellectual treat. As usual, it is marked by a strain of originality and a variety of ideas which, if not always convincing, are nevertheless remarkable for their telescopic suggestiveness. And yet, unhappily for the cause, it misses the point recently submitted to him, namely, whether the discussion of the subject, notably by Messrs. Ragoonath Row and Ranade, had advanced far enough, or was likely so to do, to allow of a common basis of action on the part of the State and the representatives of Hindu Society. This was the practical question before us when last I had the privilege of a conversation with Mr. Wordsworth and Sir W. Wedderburn. Sir William was somewhat unwilling, in the then state of local ill feeling, as he called it, to face the question. But Mr. Wordsworth appeared to agree with Mr. Ranade and myself on not a few of the issues raised by our erudite Brahmin friend. This is my impression. It may be erroneous; or Mr. Wordsworth may have forgotten the little incident; or, what seems to be more likely, he has, on second thoughts, dismissed the point as immaterial to the success of the transcendental exposition to which he now confines himself. Be that as it may, no one, who studies his letter with the care I have bestowed upon it, can help being struck with its spirit of lofty impartiality. But at the same time I must confess that some of its assumptions are more hasty than natural, that its leading parallel, referring to Manzoni's *Betrothed Lovers*, is extremely meagre, and that several of its conclusions, where they affect the two small items of Hindu social reform, are far from satisfying to an earnest inquirer after truth.

Mr. Wordsworth condemns Infant Marriage as "an irrational practice" and as "seriously hampering any society that adopts it." He invokes "universal sympathy" for child widows, in spite of "all priestly casuistry" supporting compulsory widowhood. But he does not think the consequences of these "perverse and cruel practices" could be so disastrous as "eager reformers" would make them out to be. He appeals, and I think successfully, to compensating circumstances,—to the sweet devotion of women and their self-denial. But conceding all that, I venture to assert that infant marriages and enforced widowhood are productive of infinitely more harm than good. As to women in India being unconscious of their position at home and in society, is it just, is it wise, I ask, to avail ourselves of this purely fortuitous circumstance? In my opinion such a line of argument is like adding insult to injury. Let us consider if this domestic servitude, however unfelt by the victims, however gloried in, if you like, does not re-act upon the stronger sex, stunting the growth of the whole nation—of the male as well as the female portion thereof? Men must themselves suffer by selfishly entailing needless suffering upon women; the former, in the long run, lose more than the latter. Such is the law of Nature. It cannot, indeed, be denied that Nature knows how to compensate herself. But she also knows how to revenge herself. And as every student of history knows, Nature will first revenge herself for any outrage or irregularity, before she attempts to compensate herself and to readjust her affairs. We cannot get out of this inexorable fact by seeking refuge under what philosophers coolly accept as the "necessary evils" of life. In this light is it not mere playing with the rules of comparison to liken Infant Marriage—an "all but universal" practice in India—to the immuring of certain noble ladies in medieval Italy, or to marriages of convenience in aristocratic France? As well might you defend the system of Suttee by referring, for instance, to the conjugal fidelity of Porcia. One might put up with early marriage, (certainly not infant marriage) where widowhood is not compulsory. One might tolerate enforced widowhood where early marriage is not the rule. But is it possible to contemplate, without a shrinking at heart, the two evils which have no parallel in history, as having worked together for centuries and threatening to work together or centuries more? With the domestic

atmosphere thus reeking with injustice and wrong, with this gilded slavery which is at once the cause and the effect of our moral destitution, I must be pardoned if I cannot largely share the sanguine expectations of a revival of political independence, of an evolution of the patriotic virtues in India—of public spirit rising, on occasions, to the pitch of heroism, of self-denial sinking into absolute martyrdom. Mr. Wordsworth is much more sanguine than I am. I congratulate him upon this happy optimism, and honour him for his frank avowal of it, which may encourage hundreds of Indian reformers less diffident than myself.

And, what is the condition to which Mr. Wordsworth trusts for the improvement of society in India? To “intellectual emancipation.” On this subject he dwells with excusable enthusiasm. No other Englishman has done more for the emancipation of the Indian intellect. But I do not think Mr. Wordsworth looks upon his remedy as a panacea for all evils. He seems to suggest intellectual emancipation more as a means than as an end. And if I understand him aright, the question arises—is the Hindu intellect much in need of emancipation? So far as that goes, I believe the high class Hindu *is born* with a full measure of intellectual freedom. What he seems to need is spiritual grace, that humility which controls the exercise of a subtle intellect, that clips the wings of idle speculation, and regulates the mystic rites of the mind. It is a fact worth noting that, even since the advent of the British rule, class after class of these intellectually emancipated beings have succumbed to the fascination of Infant Marriage and Enforced Widowhood and helped to raise the evils into a fashion and a merit. There is one other point in this connection which I may be allowed to notice in passing. “Religion and Habit,” says Mr. Wordsworth, “were not created and cannot be destroyed by logic.” To this proposition I cannot subscribe, at least as regards the more authentic portion of the Hindu Scripture. That religion is consistent with and based on logic. And consequently I hold that all illogical, that is irrational innovations (such as the two under notice) are essentially irreligious, as shown by Ram Mohan Roy, by Vidiyasagar, by Ragoonath Row and Ranade, and as is now being shown by Mr. Telang in a course of admirable lectures. In these lectures before large Maratha audiences Mr. Telang insists that there is ample warrant in the Shastras themselves for a reconstruction of the moral and social fabric. We in India by no means look upon Religion as a bundle of absurdities or hallucinations.

And this brings us to a consideration of the part which positive science and politics are destined to play in the future history of India. Here, too, it is my misfortune not to agree in full with Professor Wordsworth. Science and politics have undoubtedly a vital bearing upon the progress that has to be effected; but they will never be able to usurp the place of religion. I think it is a mistake to ignore this religious aspect of life in considering the problem of national regeneration. Religion is not a matter of mere convenience with the Hindu, and he is not likely to subordinate it, except perhaps during the transitionary period, even to such mighty forces as politics and science. Whether it would be well that he should do it is a question which I am scarcely inclined at present to approach. Mr. Wordsworth himself no more than glances at the question, and that by implication.

Further on, he asks me to suspend my “apostolate of criticism and rebuke.” So does Sir W. Wedderburn and so did Sir James Fergusson. Now, I could understand our worthy ex-Governor, but it is hard, in this matter, to follow such earnest friends of India and consistent advocates of national unity, as Sir W. Wedderburn and Mr. Principal Wordsworth. Why do they endorse the unwholesome doctrine, that none but Hindus can fight their social battles? Because, I begin to fear, their knowledge of the inner life in India is limited, and their interest in so far cannot necessarily be so vivid and so abiding as mine. I have myself worked from the beginning on one principle, namely complete identity of interests. And in this spirit have my efforts been appreciated by representative Hindus like Sir T. Madav Row, Messrs. Ragoonath Row, Ranade, Telang, Manibhai, Mahipatram, Baij Nath, the two Dayarams of Karachce, Raja Harbans Sing of Lahore, and others too numerous to name. On the other side I do not know of more than the Hon’ble Mr. Mandlik having publicly disowned me, and he was corrected promptly enough by Mr. Shantaram Narayan and others. For all that, however, I have no wish to prolong the misunderstanding. It is encouraging to see that Mr. Wordsworth himself does not find me guilty of having “stepped beyond” my “proper province.”

And I beg to remind him that as a matter of fact I gave up all prominent connection with the movement as far back as in August last. I have never presumed, even during the heat of the controversy, to do more than interpret the teachings of the most enlightened Hindu thinkers. And that modest role, too, I must abandon, for the present, though not, I trust, in the spirit of a deserter.

With the second half of Mr. Wordsworth's letter I have very little directly to do in this place. Descanting on High Education, it goes without saying that its redoubtable champion is entirely in his element. His general observations will command the assent of readers of all classes and of almost all shades of opinion. Indian reformers need not trouble themselves too much about "moral chaos" and other dreadful conditions which are supposed to follow in the wake of a liberal English education. If all this is really to happen, let us comfort ourselves with the reflection that it is inevitable. The Parsis are going through that stage of scepticism of which Mr. Wordsworth speaks with authority. Educated Hindus may have to undergo the same process of purification, to judge from things as they appear; and though their number is too large and they are too numerously divided to survive the ordeal as easily as the Parsis are doing, I have very little fear as to the ultimate result. Mr. Wordsworth speaks of the future of India in tones of warm and generous eloquence, all his own. May his anticipations come true in time, and may he live to realize them!

And now a few words about certain unrepresented interests — those "excellent people" the official autocrats and the Christian Missionaries. The picture, or rather sketch, is as fair as an off-hand study could be. But there is the other side of the shield to be presented to public view, which Mr. Wordsworth omits to do, simply because, I believe, he sees small occasion for it. This omission on the part of a controversialist, known alike for his sagacity and his delicate sense of justice, is apt to be misunderstood. I owe it to him, therefore, more than to myself or to others, to supply the omission. As a system of government, autocracy is by no means perfect for an advancing people. But with all its faults it has proved highly beneficial to India. Among other things let us remember with gratitude that it has abolished Suttee and Infanticide and Self-Torture. And how much do we owe to Christian missionaries? We are indebted to them for the first start in the race of intellectual emancipation. It is to them that we are beholden for some of our most cherished political and social acquisitions. Our very Brahmo Samaja, Arya Samaja, and Prarathana Samaja are the offshoots, in one sense, of this beneficent agency. And apart from its active usefulness, the Christian mission serves as a buffer for the tide of scepticism usually inseparable from intellectual emancipation. At a time when doubt and distrust are taking the place of reasoned inquiry among the younger generation of India, I feel bound to acknowledge in my own person the benefits I have derived from a contact with the spirit of Christianity. But for that holy contact I could scarcely have grown into the staunch and sincere Zoroastrian that I am, with a keen appreciation of all that appeals readily to the intelligence and a reverent curiosity for what appeals to the heart, knowing full well that much of what is mysterious to man is not beneath but beyond the comprehension of a finite being. I wish I could enlarge upon the subject, but a further attempt is impossible on the eve of my departure from Bombay.

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From the Hon'ble DAYARAM JETHMAL, an present Member of the Bombay Legislative Council—dated  
Karachee the 5th October 1885.

DEAR MR. MALABARI,

Please do not give up your work. If you do, the cause will fail. You deserve the gratitude of all Hindus. I have been thinking over this question a good deal, of course, from a local point of view.....You certainly do not deserve the obloquy heaped upon you by Mr.——— and others. You have kept up the agitation in a manner that does you great credit. I feel, however, that your latest proposal of appointing a committee of reformers and orthodox men, though very good in itself, is not likely to bear any fruit in Sind. The fact is that the orthodox people here do not take any interest in the question. The reformers are few, without any very great influence and without any real zeal for the cause. As far as Karachee is concerned, I doubt if even a fraction of the Sindhis of that place have heard of the agitation so heroically set going by you. You suggested that translations might be made, but a Sindhi translation will be read only by

the Amils who are a minority. The uneducated Banias do not care a rap for what you are writing—do not know anything about it. I think one or two persons can do nothing by setting an example. Moreover, the setting of an example presupposes the existence of unmarried sons and daughters whose marriage might be put off.

I did not know you were going to Lahore. We should have been glad to have you here in Sind; and had you come down by rail and gone to Bombay by steamer, your health would not have suffered as it has. Karachee, you know, possesses a fine climate. At any rate the Europeans think so, and Parsis think so, too. I believe you would have enjoyed the trip, regained your health and seen something of the people for whom you have been labouring so hard.

You have my heartfelt sympathy in the task you have undertaken. My friends, from whose letters you have published extracts in your paper, are all good men, and I am glad they are exceptionally well interested in the movement. But they have not been able to effect any practical good. As regards the vast majority of the Banias of Sind, the task is hopeless. They may, however, be led by the Amil society, and in this society the germ may be said to have been planted. But if left to the slow process of education to develop itself, I think it will take 100 years before anything can be done with it. I have arrived at the conclusion that the best means of putting down infant marriages is to adopt more drastic measures than those hitherto suggested: and I think the best thing would be for the Legislature to declare that marriage before a certain age (say 12 in the case of females and 16 in the case of males) will be null and void. I will not attach any penalty to an infringement of this rule, such as imprisonment or fine, as proposed by Mr. Whitley Stokes. But I cannot believe that anything short of such legislative declaration will do good.

It may be taken for granted that infant marriages are a monstrous evil. How is this monstrous evil to be put a stop to? Either by voluntary action of the people, superinduced by education, if you like; or by coercion on the part of the State. As regards the former method, I see no sign of it in the near future. You have persistently carried on this agitation now for nearly two years. Has it created any impression on any considerable section of the people? No. On the contrary, I hear even now several infant marriages are being negotiated among families of standing and position. I also informed you in a former letter of the fearful expenditure required for these marriages, and a regular chain of transfers of bridal presents, which contributed mainly, if not solely, to early marriages. Education will not help you much. In the first place it will take a long time before education can effect a regular upheaval in society. In the second place, if there are some highly educated men who are thoroughly convinced of the evils arising from early marriages, they are powerless to prevent such marriages taking place in their families, either because they have elders who manage their affairs; or for fear that owing to the prevalence of the custom of early marriages among persons of position, suitable matches will not be procurable if the children are allowed to grow up; or because of the necessity they may be under, owing to limited pecuniary means, of getting presents on account of their sons, to transfer them to their growing daughters. Supposing none of these obstacles exist, an educated man *may* set an example by postponing the marriage of his son or daughter; but the example is at the best of a negative character and will hardly act on others. At present, if you talk to any one here, he quite coincides with you, and wants others to do it, that is to say, he wants *a custom to be created*, and he will not be satisfied unless all belonging to his society follow a certain line of conduct. This is impossible to do by merely setting negative examples, especially where there are various counter influences at work and in full force, some of which I have hinted at above.

I think I have said enough to show you that it is no use relying on voluntary effort to effect the desired end. State interference or support is necessary, and I can see no other form for that support than a legislative measure.

Yours Sincerely,  
DAYARAM JETHMAL.

From KRISHNA BEHARI SEN Esq., M. A.,—dated Calcutta, the 10th November 1886.

MY DEAR MR. MALABARI,

An apology is needed for this delay in replying to your very kind note. The long vacation took me away from Calcutta, and it was in the mofussil that I read the Resolution of the Government of India on the subject matter contained in your Notes. I do not profess to be very much learned in the literature of the subject, but it strikes me that there is nothing in the principle, but much in the method, of your proposals which has caused the differences which exist between you and other people; though at the same time I confess my uncertainty as to whether I really understand your views. Whatever it be, I wish there were a common method of action struck out among the reformers of the various provinces. When you try to create political unity among the people, why should not there be a unity in the programme of social reforms? I admit that it will be more difficult to reach unity in social opinions than in the political, still some co-operation is necessary, and it might have been attained in the present case. Pray, rest assured of our full sympathy with you in your difficult position. You have undertaken a Herculean task, and we watch your labours with very great interest. I was associated with my late brother throughout the agitation on the Marriage Bill question, and I know what a gigantic business it is to legislate upon our social needs. I hope that when you come to Calcutta in December, we shall have an opportunity of talking over the matter together.

With best regards

Yours Sincerely,  
KRISHNA BEHARI SEN.

From the Hon'ble (now Sir) M. MELVILL, C.S.I., Judicial Member, Government of Bombay—dated Mahableshtar, the 20th May 1886.

MY DEAR MR. MALABARI,

I have been so busy that I have not been able to answer your note before: and even now I fear that I can only do so imperfectly. I believe that nothing can so effectually further the cause which you advocate as that which you have been doing and propose to do; *i.e.*, besides your advocacy in the public press, "to travel about in the country, enlisting the sympathy of representative Hindu gentlemen at every important centre, and form committees for the discouragement of Infant Marriage and Enforced Widowhood." You have already done more in the cause than any man living; and I sincerely trust that you will be enabled to do a great deal more. But the progress is very slow, and for some time to come must be so. I can hardly hope that, during the short time which I have to remain in India, native opinion will have made sufficient advance to enable the Government to interfere actively: but I shall be most happy to assist as soon as it appears to me to be practicable.

If it can be done without causing general discontent, I see no strong objection to declaring by law that the marriage of girls below the age of 12 is invalid. This might do some good: though I fear it would give rise to a good deal of troublesome and vexatious litigation in cases in which family property was in dispute. In England, baptismal registers are conclusive proof of age: but in India it is very difficult to prove a person's age. In suits involving questions of family property between a widow and her male relatives, I fear there would be frequent attempts to prove that the marriage was invalid, and there would be much hard swearing as to age. The young widow might be deprived of her property in consequence, and in this way the law might be productive of injury rather than benefit to women.

If consummation could be prevented before the age of 12, it would certainly be most desirable. But could the law effect this? At present, consummation of marriage before the age of 10 is punishable. But in the whole course of my experience, I have never known such a case brought before the Criminal Courts. Why is this? The explanation must be either, that such cases do not take place, or that they are not discovered. The first explanation, I think, you do not admit, and therefore you must fall back on the second. But if it is impossible to prove that the law is broken, when the girl is under 10, it would be equally, or even more difficult to prove it, when the girl was between 10 and 12. I say "more difficult," because the visible injury to the girl herself

would be less serious and less apparent. It seems to me that it would be impossible to enforce the law, except by means of an inquisitorial investigation of the most private affairs of domestic life, which would be considered intolerable. In the absence of complaint by the wife, (and she would never complain), how could any one be allowed to go into a man's house, in order to ascertain whether he had consummated his marriage, before his wife was *apta viro* ? And then there is the difficulty to which I have already referred, that in most cases it is almost impossible to prove conclusively whether a girl is 10, or 11, or 12 years old.

Even if the law should declare that no girl under 12 should be a wife, nor consequently a widow, it does not follow that the society in which the girls live will not treat them as widows for the purposes of remarriage. The priests may go through the same ceremonies as now, and attach to them the same efficacy. The law may say that these ceremonies constitute only a betrothal : but the priest may say that they constitute a marriage, religiously, if not legally, binding ; and that the girl is really a widow, and cannot be remarried. Unless the influence of the priests can be shaken, the girl may be treated as a widow, whatever the law may say.

I see no reason why a widow, who wishes to remarry, should not be allowed to retain her life interest in her late husband's property. Even as it is, a separated widow on this side of India can do what she likes with the *moveable* property, and make a gift of it to her second husband an hour before her remarriage : so that it is somewhat absurd for the law to say that she shall lose this property on her remarriage. Whether the proposed change in the law would make much difference in the number of widow remarriages is perhaps doubtful. I suppose in this country, as in others, there are a certain number of widows who would rather remain single and keep their property than marry again and lose it. But this is not the class of widows which stands most in need of pity. There are too, no doubt, many men who will marry a widow who has property, when they would not marry her without. In England, we say that such a man is not a desirable husband, and that a woman had better not marry at all than marry a man who wants to marry her only for her money. But this comes from our sentimental idea that people ought to marry only for love : and in India matrimonial arrangements rest upon a more practical, and perhaps more sensible, basis. At any rate, I should be quite willing to support a proposition to amend Act XV. of 1856 so far as to allow a widow who remarries to retain her interest in her late husband's property.

I see no objection to allowing remarriages, or indeed any marriages, to take place before a Registrar, as in the case of Christians. Whether Hindus would take advantage of it, I do not know. Of course, the priests would set their faces against it, just as Christian priests do.

I shall be very glad if I can do anything to open up medical, educational, and other careers to widows. I was in hopes that the natives themselves would be eager to further the scheme for providing medical women, which has recently been started : but they seem very indifferent to it.

Yours very truly,

M. MELVILL.

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From the same—dated Mahableshwar, the 30th May 1886.

MY DEAR MR. MALABARI,

In your last letter I understand you to say that you are convinced that the better portion of Hindu Society desires that infant marriages should be prohibited by law. If you could convince the Government of India of this, I think they would be willing to legislate on the subject. Indeed, if I remember right, Mr. Whitley Stokes, speaking some years ago in the Legislative Council, observed that nothing would be easier than for the legislature by a stroke of the pen to abolish Infant Marriage throughout the country.

But I cannot help thinking that a law against infant marriages would not be popular. Premature consummation is bad, and the prohibition of the remarriage of virgin widows is bad ; but these are not necessary accessories of Infant Marriage, and apart from these accessories, Infant Marriage is not necessarily a bad institution, or at all events not so bad as to render legislative interference desirable. The object of a father

in marrying his infant daughter is to obtain a suitable and wealthy husband for her, and a mere betrothal would not answer this object. The object itself is not a blame-worthy one: and if the father does not allow the girl to go to her husband's house until she is of a proper age, I do not know that anything ought to be said against the marriage.

Supposing that the legislature, instead of declaring all infant marriages void, were to say that every marriage should be void when the husband died before the wife attained the age of 12 years, and before the marriage had been consummated. This would answer your purpose. But there might be cases in which the wife would consider it a great injury to have her marriage declared null and void. She might have married a man of great wealth or rank: and it might be much more to her advantage to retain the position of his widow and enjoy his wealth than to return penniless to her father's house.

As regards consummation, I should not be disposed to alter the provisions of section 375 of the Penal Code, which makes *ten* the age within which it is *rape* to have intercourse with a woman. But I should not object to making it an offence, punishable with a milder punishment than that of rape, to have intercourse with a woman between the age of 10 and 12. This, I think, is the law in England.

There will always remain the difficulty of determining a woman's age: and I do not think it would be possible, at all events for many years to come, to introduce such a perfect system of registration as would remove this difficulty. If there were no other objection, we should require an expensive machinery: and in these hard times where is the money to come from? We can make people pay for registering their bonds: but it would be very unpopular to oblige them, not only to register births (which they would greatly dislike), but also to pay for doing so.

I send you a sketch of the lines on which I think that legislation might possibly proceed. But I must not be held to commit myself to saying that, if the matter came before me officially, I should advocate legislation upon these lines. I might modify my views upon further reflection. I can only say that I do not think I could be induced at present to go further than in the proposals which I have here sketched out. And I don't think you can expect the legislature to go so far, unless you can induce the leaders of Hindu Society to memorialise Government on the subject.

You will see that in the first section of my proposals I make it punishable to have intercourse with a woman between the ages of 10 and 12.

The 2nd section would make punishable the parents who send their daughter to her husband's house before she is 12 years of age.

The 3rd and 4th sections enable a Court, (upon the application of the girl herself or of some one interested in her welfare), to declare a marriage null and void, when the husband dies before she is 12. But they oblige the Court first to hear any objections which the girl's parents may make.

Section 5 makes punishable any person who, after a marriage has been declared void, cuts off the girl's hair, or tries to prevent her from remarrying, on the ground that she is a widow.

Section 6 repeals Section 2 of Act XV. of 1856 and enables a widow who remarries to retain her first husband's property, if inherited by her, but not to have any claim to maintenance out of it.

Believe me

Yours very truly,

M. MELVILL.

1. Whoever has sexual intercourse with a woman, who is above the age of ten but under the age of twelve years, shall be punished with imprisonment of either description which may extend to two years, or with fine, or with both.

2. Whoever, being the lawful guardian of a woman, who is under the age of twelve years, knowingly permits her to have sexual intercourse, or does any act to facilitate her having sexual intercourse, shall be punished with imprisonment of either description which may extend to two years, or with fine or with both.

3. If the husband of any woman dies before she has attained the age of twelve years, the High Court, or the District Court may, upon the application of such woman,



or of any person whom the Court may allow to appear as her next friend, declare the marriage to be null and void.

4. Before making such declaration, the Court shall give notice of the application to, and shall hear any objections made by, the father, or, if the father be dead, the mother, of the woman by or on whose behalf the application is made.

5. Any person who, knowing that such a declaration has been made, does any act for the purpose of making it appear that such woman is a widow, shall be deemed to have committed contempt of Court, and shall also be liable to punishment under section 188 of the Indian Penal Code.

6. Section 2 of Act XV of 1856 is repealed, except in so far as it relates to maintenance.

M. M.

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From His Highness MAHARAJA SAYAJI RAO Gaekwar of Baroda, G. C. S. I.—dated Baroda, the 15th July 1886.

DEAR SIR,

In acknowledging the receipt of your programme I must request you to excuse me for not replying to it earlier. I have all along studied and watched with interest the stirring controversy on Infant Marriage and Enforced Widowhood against which you have so ably raised your voice, and for which you deserve the thanks of every right-minded citizen who is desirous of seeing the social regeneration of India. I think there has already been too much writing and lecturing on the subject, and that such activity, however useful and necessary, must have a limit. Evils like these call loudly for action, and action alone can remedy them. It is not very pleasant to reflect that so many of our learned young men who have such ample opportunities of doing good to their country do not, when occasion offers, show the truth of the old adage "example is better than precept" by boldly coming forward, may be, at some personal sacrifice, to respond to what they, from their otherwise secure position, would lend weight and like to be recognised as the aristocracy of intelligence. Nothing is rarer in this world than the courage which accepts all personal responsibilities and carries its burden unbending to the end.

By your agitation you have, in a way, electrified the individual instinct of conversation into one of sympathy. This awakening, which you have had the honour to effect by a, so to say, intellectual contagion, I would not let go to sleep. I am ready to help on the good cause by giving it all the support it deserves. There are many other social reforms which need an initiative being taken, and I dare say they are occupying the attention of most of the enlightened natives. I do not doubt that your programme is a workable one, and though no hard and fast rules can be laid down to control the evils, the natural leaders of the community can lend the weight of their influence in discouraging such practices; and my firm belief is that before the general public can take such an advanced view, the female population particularly must be brought under the civilizing influence of the school. Though I am fully aware that it is difficult to increase the age I would not like to see it under full thirteen for consummation.

Yours faithfully,  
SAYAJI RAO GAEKWAR.

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From the Hon'ble Mr. JUSTICE WEST, of the Bombay High Court,—dated Bombay, the 21st July 1886

DEAR MR. MALABARI,

The accompanying rough draft is an endeavour rather to give a first formal shape to your views than to my own on the subject it deals with. I am not certainly indifferent to the great evils that arise from infant marriages and from the enforcement of perpetual widowhood, but in all that concerns the domestic relations the proper and even the possible sphere of operation of the positive law is very restricted in comparison with the field that must be left to popular morality, the general sense of what is right and becoming. The Act (XV of 1856) by which the legislature thought to open the way for the remarriage of Hindu widows has remained virtually a dead letter because there was no demand for the freedom it gives in the feelings of the Hindu community. Similarly, to

merely encourage the postponement of marriages would have but little or no effect against the habits and traditions which tend the other way. To absolutely forbid infant marriages would be looked on as intolerable oppression, and would indeed be so. I understand you indeed to have admitted or even declared this on more than one occasion. The duty of a Government in such a matter is not violently to subdue the nature and instincts of its subjects to its own notions of propriety, but rather to watch for the rise of moral and beneficial tendencies, and then to foster their development by a process of natural growth and at the earliest fitting moment give them form and permanence in a law. This is why a marriage law as to infants and widows should be so framed as to admit of gradual introduction, according as different castes and classes gradually awaken to a higher perception of the moral elements of the matrimonial relations. Increased strength of character and purity of life amongst those brought under the improved law would probably soon make willing converts of crowds who would deeply and not quite unreasonably resent any compulsion.

In the meantime individuals and societies may do good work in preparing the way for a general reform. Groups of enlightened and influential Hindus at the chief centres of population might unite to discountenance infant marriages by refusing to attend them and by exerting their social authority to prevent them. They might also diffuse a cheap and inoffensive literature exposing the evils of premature marriage. Individual labourers in the same cause may well employ themselves in trying to substitute a new set of conceptions in the minds of the people for the gross realistic notions of which the existing marriage system is a natural outgrowth. They may well insist, too, on a striving for social reform as a matter at least as pressing and important as political progress. In the one sphere, as in the other, the only movement worthy of moral and intellectual beings consists in the apprehension of the higher laws and capacities of our complex nature and an earnest striving to conform to them in precept and practice. From this point of view I regard as highly useful the letters you have sent to me signed A. F. They are the fruit, no doubt, of a reading and meditation too deep for popular appreciation, but their moral earnestness must catch the higher minds and through them influence the whole community.

Yours very truly,

R. WEST.

#### AN ACT FOR THE PROTECTION OF HINDU INFANTS AND WIDOWS IN RESPECT OF MARRIAGE.

This Act shall apply to Hindu subjects of Her Majesty belonging to castes and classes whose desire in this behalf shall have been ascertained by the Government and notified in the *Government Gazette*, and to all acts and omissions on their part or in relation to them hereinbelow provided for, whether the same take place within or without British India.

A marriage of a female under 12 or of a male under 14 may, on the attainment of that age, be adopted or renounced either by the person attaining it or by the other party to the marriage.

The adoption or renunciation of a marriage may be declared before a judge, a magistrate or a registrar of assurances who, on being satisfied of the identity of the declarant, and of his or her mental capacity, shall accept the declaration and shall furnish a certificate thereof to the declarant, on payment of such fee as shall be provided by the law or by the Government.

A marriage susceptible of adoption or renunciation under this Act shall be deemed to have been renounced unless within three months from the attainment of the age of 14 or of 12 years it shall have been adopted by the parties thereto, as hereinbefore specified.

Consummation of a marriage between a male of 14 years of age and a female of 12 years of age or upwards, acting voluntarily, shall be deemed an adoption of any marriage duly celebrated between the same persons before such consummation and not validly renounced.

The rights and duties subsisting between married persons whose marriage may be renounced as hereinbefore provided, on account of their infancy, shall not extend to conjugal society or intercourse.

In the case of a female married and under 12 years of age sexual intercourse with her by her husband shall have the same legal character, and, in the cases provided for by the Indian Penal Code or other law, shall be subject to the same penalties as if no marriage subsisted.

Abetment of sexual intercourse prohibited by this or any other law under a penalty shall be deemed abetment of an offence within the meaning of the Indian Penal Code.

In the case of a marriage subject to renunciation under this Act no right to maintenance or residence, nor any claim to money or things of value arises to one of two spouses as against the other, or the property of the other during his or her life, but in the event of the death of either the rights of the other as to inheritance and maintenance shall be the same as if the marriage had not been subject to renunciation.

A widow shall not, by remarrying, incur, with reference to her property derived from or through her deceased husband or her rights accrued in virtue of her marriage to him, any further or greater forfeiture or disqualification than she would incur by fornication committed with the person with whom she remarries.

Any person who, without her free, express and intelligent consent does any act towards the personal disfigurement of a female aged 12 years or upwards, by reason or under pretext of her being a widow, shall be answerable as for a civil injury in such damages as the court may award, *provided* that nothing herein contained shall be deemed to affect the provisions of the Indian Penal Code or other law in force relating to criminal force or any other offence thereby made punishable.

Whoever by threats, insults or menaces, or suggestions of divine displeasure or supernatural injury, endeavours to bring about or to prevent any marriage, contrary to the legal rights and discretion of the parties concerned, shall be subject to the penalties provided in Sections 506, 507 or 508 of the Indian Penal Code.

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From the Hon'ble C. P. ILBERT, C. S. I., Law Member to the Government of India—dated Calcutta, the 17th March 1886.

DEAR MR. MALABARI,

I have had many conversations with you and others about your proposals of social reform, and you have often asked me to put in writing my views on the subject. If I have hesitated to do so it has not been for want of sympathy with your efforts and objects, but because the region into which you have invited me is, for an outsider and a foreigner, strewn with pitfalls.

That the social position of women is one of the surest tests of civilization, and that the institutions of Infant Marriage and Enforced Widowhood are incompatible with the position which women ought to occupy in a perfectly civilized society, these are propositions which command a ready assent. But when you ask me how far the particular remedies proposed by you are likely to be suitable or effectual, by what methods of coercion or persuasion the Hindu family system, Hindu beliefs and Hindu usages can best be adapted to modern notions about the position of women, and at what point the process should be begun—you take me out of my depth.

Consequently there are very few of the issues raised by your notes about which I can express an opinion.

I do not think a sufficient case has yet been made out for legislative interference. I do not wish to suggest that Indian legislation cannot influence or is not materially influencing Hindu usages, beliefs, and opinions, or to dogmatize about the limits within which such influence can be usefully or effectually applied.

But after having considered very carefully the suggestions for legislation put forward at various times by yourself, by Mr. Ranade and others, I have come to the conclusion that most of them lie beyond the proper sphere of legislation, and that no one of them has yet received that kind or amount of support from representative opinion which would justify a legislature in interfering with laws or customs relating to marriage, and to which the Indian legislature was able to appeal when it passed Act XV of 1856. In saying this I do not forget the short and easy method of dealing with infant marriage which has been suggested by my eminent predecessor, Mr. Whitley Stokes.

Nor do I think that much can be done by executive regulations, or by the action of Government officials as such.

The Government of India has caused your notes to be circulated among the officers of the different local Governments and Administrations, and has through them collected a body of opinion which may, I hope, before long be published, and which should be useful to you and your friends in determining the course which you should take, and in enabling you to estimate the kind of support which you are likely to receive. I doubt whether the Government can with advantage do more for your assistance under existing circumstances.

The Propaganda to which you have so nobly devoted yourself demands missionary effort and missionary enthusiasm. Any appearance or suspicion of undue official interference is more likely to retard than to advance your cause.

I have followed with the greatest interest the reports of your recent progress through the towns of Northern India, and I see in the reception which you have met with every ground for encouragement.

Experience shows that Indian customs and usages are not the unchangeable phenomena which they were once believed to be. What is remarkable about them is the rapidity and unexpectedness with which they occasionally give way under new influences. A belief or a custom, which seems to be firm and immovable as a rock, suddenly topples over and disappears, without previous warning, like an iceberg which has drifted into a southern sea. The prejudice which was once believed to be a fatal obstacle to the prospect of Indian railways has thus disappeared. The prejudice against crossing the sea seems destined to share its fate.

Few sights have struck me more since I have been in India than that of a large evening party at which I was present when I was at Bombay last winter and at which English and Parsi ladies and gentlemen mingled as they might in a London drawing room. I was told that such a sight would not be possible in any other part of India, and that it would not have been possible in Bombay a generation ago. There is no reason in the nature of things why changes as great as those which have taken place in your own lifetime in the beliefs, opinions and customs of your own Parsi community, should not take place in the beliefs, opinions and customs of your Hindu fellow countrymen, without any assistance from the Government except that of ready and sympathetic recognition.

Yours Sincerely,  
C. P. ILBERT.

From SIR EVELYN BARING, K.C.S.I.,—dated Cairo, the 15th June 1886.

MY DEAR MR. MALABARI,

I need hardly tell you how much I sympathize with the courageous efforts you are making to improve the position of the women in India. I earnestly hope that those efforts may eventually be crowned with success.

Do not be discouraged at slow progress. You have already done much more than for my own part I should have expected, considering the deep root which the social evil you are attacking has taken in the country.

Believe me,  
Yours very Sincerely,  
E. BARING.

From SIR WILLIAM MUIR, formerly Lieutenant Governor of the N. W. Provinces—dated Edinburgh, the 11th September 1886.

DEAR MR. MALABARI,

You judge rightly that I take the deepest interest in the Marriage Question regarding which you have sent me papers. I have always been strongly of opinion (and I think I expressed the same in the Legislative Council some 20 years ago) that the betrothal or marriage of minors should not be held binding at law unless consummated—that is, that specific performance of the contract made by parents or guardians should not be enforced. Possibly Court action for damages against these might be allowed. What the form and mode of repudiation should be, or the precise action of one or other of the parties indicating that he or she seceded from the contract, would require more careful thought than I have time to give to the subject at present (for I am away from home in the highlands).

But beyond such a measure I certainly would not at present go. I agree with very much of what Mr. Melvill says. I do not think that the advocates of further legislation have at all appreciated how impossible it would be to enforce laws such as are advocated in the present state of habit and feeling. How possibly could the executive spy into the recesses of family life and the Purda? Just think of the terrible handle it would give to enemies of a family and to the Police. I believe that any such laws would be utterly inoperative excepting in mischief and evil in the existing state of society and would altogether fail of securing the results you are aiming at.

But that is no reason why you should relax your efforts to reform the national sentiment and gradually to change its habits. *Macte virtute.* Go on in your great work and may God grant you success in it.

I write in great haste, but did not like to leave your letter unanswered longer.

Yours very truly,  
W. MUIR.

From the Right Hon'ble LEONARD COURTNEY, Chairman of the Committees of the House of Commons and Deputy Speaker,—dated Chelsea, the 4th September 1886.

DEAR SIR,

I have read with much interest and sympathy the pamphlet and accompanying papers on Child Marriage and Enforced Widowhood which, at the instance of my friend Mr. Justice Scott, you have been good enough to send me. The subject of Enforced Widowhood attracted my attention during my brief visit to India ten years since, and child marriages also; but I remember that very soon afterwards one of the Native gentlemen to whom, above others, we looked to influence Native opinion, contracted his daughter in marriage at a very early age. This sad departure from the principles he had theoretically adopted may excuse a grave apprehension of the difficulties of legislating in advance of popular sentiment on such subjects. I must add that the temper of the English Government is much less imperious now than it was in former years. Under a more aristocratic system there was greater readiness in imposing our ideas upon others, but whilst the democracy is ready enough to embody its ideas in domestic legislation, it has a real indisposition to govern other communities.

Your first and most difficult task is to influence opinion within India. You have recognized this and have set yourself to the labour, and I heartily wish you good speed in it.

Nevertheless having something of the older imperative temper and feeling that in India, if anywhere, we have the responsibilities of power, I should like to see attempted such legislation as Mr. Melvill and my friends Mr. Justice West and Mr. Justice Scott have suggested. Mr. West's draft seems to meet some of the objections Mr. Melvill had foreseen.

As regards Enforced Widowhood I would go as far as possible in making punishable all attempts to overawe or impede individual liberty; but we, who are apparently unable to put down boycotting at home, must feel some diffidence as to the possibility of liberating a widow who presumes to marry again from terrorism and persecution backed by religious sanctions. There was of course a similar struggle of authorities over *Sati*, but our fathers did not shrink from insisting upon having their own way, and the obligation of immolation has practically disappeared. I know not why in course of time the obligation of dedicating the whole of a life to the memory (say rather "to the dominion") of a husband with whom there may never have been married life, should not also vanish. Unhappy women now often suffer a fate worse than *Sati*.

You asked me to give you my opinions, and I fear I have done so at a length quite incommensurate with their value.

Yours truly,  
LEONARD COURTNEY.

From the Right Honourable Lord HOBHOUSE, formerly Law Member to the Government of India—dated London, the 14th October 1886.

MY DEAR SIR,

I have been absent from home and have just returned, when I find the little work which you have been kind enough to send me. I quite concur in the importance which

you attach to Infant Marriages, and believe them to be a serious obstacle to the improvement of Indian society. Such customs are, however, most difficult to alter even in communities where a large number of minds have for generations been accustomed freely to speculate on and to discuss the merits and grounds of human conduct and of social arrangements. Much greater is the difficulty in India where the vast mass throughout the country are probably incapable of such discussion and would certainly think it wicked, and where old traditions have acquired the force of a divine command. I am afraid that the panic about ghee is an illustration of this. Such conservatism has its good side, but it presents heart-breaking difficulties to one who desires to abate an evil custom. The only way is for those who have convictions to go on uttering them boldly and persistently, trusting that the seed they sow will fall into the more receptive soil of young minds and will produce its fruit in due season. As regards the action of Government, it is rarely wise to outrun general opinion, especially in matters such as marriage which are so mixed up with religion and with personal feeling. I suppose that you will never have any English ministers who will not be glad to act in the direction you wish the moment they see that their action will be consonant to the feelings and convictions of the bulk of intelligent and influential Indians. In the meantime you have my hearty good wishes for the success of your efforts to ameliorate the condition of your countrymen.

Believe me

Very sincerely yours,

HOBHOUSE.

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From F. C. BARNES, Esq., Private Secretary to the Lieutenant Governor of Bengal—dated Calcutta, October 1884.

MY DEAR SIR,

I have laid before the Lieutenant-Governor your letter dated Sept. 27th with its enclosures. He desires me to say that, at the suggestion of the Government of India, he is circulating for an expression of opinion upon them from officers in the public service, and others, your Notes on Infant Marriage and Enforced Widowhood in India.

His Honor wishes me to add that he congratulates you upon having come forward as the promoter of these great social reforms which, if successfully carried out, will do more for the good of the country than most of our educational or administrative efforts.

Yours faithfully,

F. C. BARNES.

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From the HON. SIR RIVERS THOMPSON, Lieutenant Governor of Bengal—dated Calcutta, the 23rd August 1886.

DEAR MR. MALABARI,

I am glad to have an opportunity of expressing to you my earnest sympathy with the work of social reform which you have undertaken in India. The subject, in both its aspects of restraint of infant marriages and of enforced widowhood, has been for some time under my consideration officially; and I am happy to be able to give you the assurance that so far from anything like hostility or indifference to your efforts, the common opinion of every officer whom I have consulted is in strong support of your endeavours to accomplish what would be the greatest social reform ever effected in India.

Beyond this I think it would be a mistake to look for any active assistance from Government for the present. The people want more education in the matter; and any attempt to pass a compulsory law on the subject would, as you are quite aware, not only be far in advance of popular sentiment in Bengal but would be resented by Hindus of influence and authority.

You may be sure, however, that you will succeed in the end.

Yours faithfully,

RIVERS THOMPSON.

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From the Right Hon'ble W. E. GLADSTONE,—dated Hawarden Castle, Chester, the 13th October 1885.

MY DEAR SIR,

I have received through Mr. Primrose your letter and printed notes on "Infant Marriages" and "Enforced Widowhood" in India, and am much obliged to you for send-

ing me them. It has interested me greatly to learn from them the efforts that are being made to awaken public opinion on these subjects amongst your countrymen, and though I am not sufficiently acquainted with India to be able to form a judgment as to the full extent and consequences of the customs you seek to modify, I cannot but feel a warm sympathy with any undertaking which has for its object to improve and elevate the position of women in India. For the rest, I should wish to express my entire concurrence in the remarks made by Lord Ripon in his letter to you, of August the 20th, 1884.

I remain  
Your very faithful servant,  
W. E. GLADSTONE.

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From Professor MAX MÜLLER.—dated Oxford, the 26th October 1886.

MY DEAR Sir,

I hope you do not consider the battle lost. Now seems to me the time to resume your work with double vigour. For every fight against old established prejudices, defeat is at first inevitable, but it is invariably the precursor of victory. I do not see that you could have expected more from Government. Government in India is no longer what it was fifty years ago. The motive power and therefore the responsibility is at home, and 'at home,' you know, means 'in a house divided against itself.' I begin to believe that Mill, who was so much abused for his defence of the old East India Company, was right after all, and that it was an evil hour for India when it was drawn into the vortex of party government. But, as I say, Government in India being what it is, you could not expect more than that advice would be asked all round, and responsibility eschewed.

Now mind, I am not in favour of paternal government, not even in India. But I hold that Government loses its *raison d'être*, if it does not prevent and punish what is morally wrong, even though the moral wrong has the sanction of religion and tradition. I do not say that Infant Betrothal, and even Enforced Widowhood, are morally wrong, but the consequences flowing from them lead to civil torts which any Government, deserving that name, ought to prevent. I was amused with the case that happened in Madras. By all means let the castes excommunicate, but if the excommunicated man is injured by having an open Post Card sent to him, announcing his excommunication let that tort be redressed by Government.

That Infant Marriage has no sanction whatever from either Sruti or Smriti I told you from the very first, and I see that no Pandit now ventures to gainsay that. Manu wishes a young man to marry when he may become a Grihastha, i. e., when he is about 24 years of age. As to the girl she is to marry when she is fit for it, and that may vary in different climates. But an engagement between infants is never contemplated by any legal authority, much less are the sufferings of widowhood inflicted by Sruti or Smriti on a girl whose polygamous husband dies before she has even seen him. That argument has been treated with so much learning by your own scholars and lawyers that nothing more need be said on it. The study of Sanskrit, even by so-called *Mlekkhas* like myself, begins to bear fruit. You remember how in the case of Suttée, the Shastris quoted passages from a lost *Sākhā* of the Veda, intended to show that widows should be burnt with their husbands. They actually tampered with a passage from their own sacred Veda, and not till I published the passage from the *Asvalāyana*, *Grihya Sūtras*, forbidding widow burning, would they become silent. With regard to the proper age for marriage, I published the important passages in my Hibbert Lectures in 1878, p. 352-3, and as these lectures are being translated under your auspices into most of the modern languages of India, I doubt whether any Shastri now will dare to invoke either Sruti or Smriti in support of Infant Marriage. But, of course, they will invoke the authority of Akara or Desadharma, unless they remember that custom and local law have no authority whenever they conflict with Sruti or Smriti.

However, the argument derived from Sruti and Smriti may by this time be supposed to be surrendered, and the case stands simply thus:—'Infant marriage is a native custom and we do not want the Government to interfere.' I have not a word to say against this argument, provided always that no tort is inflicted on individuals. Government does not deserve the name of Government, if it declares itself unable to protect each individual subject against personal torts, whether sanctioned by custom or not. Now, infant betro-



thal is a tort — it is a contract made without consent of one of the parties. If, therefore, that party suffers and wishes to be released from an unjust contract, the Government ought so far to protect him or her. Whether the Government is foreign or native, does not matter. It is *your* Government, as long as you accept it, and enjoy all the advantages of it; and to turn round and say that your Government should not prevent and punish iniquity is self-contradictory. Do you not invoke the aid of the Government to stop drunkenness or Thuggee? The Thugs appealed to custom and to their protecting goddess, but the Government did not listen, but did its duty. Now, ask any high-minded woman, what is preferable—to be killed in the most expeditious way, once for all, or to be married to a man whom you loathe—and I believe the answer cannot be doubtful. The custom of infant betrothal is unjust; the custom of infant marriage is criminal. In the former case Government should give every relief that is demanded by the injured party; in the latter Government should punish the criminal. But for the unfortunate feeling against Government interference—in many cases a mere excuse of interested parties—no man worthy of the name of Arya would tolerate or try to explain away such iniquities. I wish the Government, while declaring its impotence, had at least given expression to the righteous indignation which every Englishman must feel when reading the accounts you have published of infant-brides and infant-widows. That would have been no great risk, and would at least have given some encouragement to you and those who work with you in continuing your crusade.

However, depend on it, justice will be done. Write a short pamphlet, containing nothing but well known and well authenticated facts, and send it to the Women of England. They begin to be a power, and they have one splendid quality—they are never beaten. If they once know what is going on in India, tolerated by an English Government, they will tell every candidate for Parliament, ‘Unless this blot is removed from the escutcheon of England, you shall not be re-elected.’ Women at all events have courage, and when they see what is hideous, they do not wait for orders from home, before they say what they think. Secondly, educate your own women, and depend on it, this matter will soon be set right in spite of temporising Governors or half-hearted reformers among your own countrymen. I know many of my native friends will be very angry with me for writing this. I only wish I could speak to them face to face, and I should soon convince them that I care more for the good name of the true Aryas than they themselves. You know I abstained for a long time from writing on this subject. I felt it was in good hands, and I do not like, nor have I time, to give my opinion on every thing. But now that apparently you are beaten, I cannot remain silent, and the more my friends in India abuse me, the more proud I shall feel. If they call you ignorant, because you are a Parsi, what will they call me, a mere Mlekkha!

Yours very truly,

F. MAX MÜLLER.



# A P P E N D I X .

## GOVERNMENT OF INDIA.

### H O M E D E P A R T M E N T .

#### INFANT MARRIAGES AND ENFORCED WIDOWHOOD IN INDIA.

No. <sup>35</sup>  
1616-26

*Extract from the Proceedings of the Government of India, in the Home Department (Public).—  
under date Simla, the 8th October, 1886.*

READ the undermentioned papers :—

Notes, dated 15th August 1884, by Mr. B. M. Malabari of Bombay—(1) on Infant Marriage in India; and  
(2) on Enforced Widowhood.

Home Department Circular No. <sup>39</sup>  
1506-15, dated 11th September 1884, asking for opinions on the proposals contained in the above notes.

Read also the following replies to the Circular of September 1884 :—

From the Government of Madras,	No. 2250,	dated 24th September 1885,	and enclosures.
"	"	Bombay, No. 1112,	dated 26th March 1885, and enclosures.
"	"	"	No. 1504, dated 25th April 1885, and enclosures.
"	"	"	No. 1751, dated 12th May 1885, and enclosures.
"	"	"	No. 1846, dated 18th May 1885, and enclosures.
"	"	"	No. 3283, dated 29th August 1885, and enclosures.
"	"	"	No. 54, dated 8th January 1886, and enclosures.
"	"	Bengal	No. 348, dated 2nd March 1886, and enclosures.
"	"	the North-Western Provinces and Oudh,	No. <sup>125</sup> 111-408-3, dated 5th February 1885.
"	"	the Punjab,	No. 825, dated 23rd March 1885, and enclosures.
"	Chief Commissioner,	Central Provinces,	No. 593-29, dated 18th February 1885.
"	"	British Burmah,	No. 877-143N., dated 30th September 1884.
"	"	Assam,	No. 6739, dated 16th October 1884.
"	"	Coorg,	No. 1306-184, dated 5th January 1885.
"	Resident at	Hyderabad,	No. 308G., dated 13th August 1885, and enclosures.

Read further the following papers :—

Endorsement from the Legislative Department, No. 159, dated 28th January 1886, forwarding a letter from the Hon'ble H. St. A. Goodrich, of the Madras Civil Service, on the discouragement of child-marriages and the amelioration of the condition of widows among Hindus, and enclosures.

Endorsement from the Government of Madras, No. 140 (Mis.), dated 22nd January 1886, forwarding copy of a letter from the President Founder, Hindu Sabha, with copies of notes by the Sabha in explanation of orthodox Hinduism on the subject of marriage.

#### RESOLUTION.

In the "Notes" referred to in the preamble, Mr. B. M. Malabari of Bombay, a gentleman known to the Indian public for his public-spirited efforts to promote social reform, brings to the notice of the Government of India important considerations connected with the questions of infant marriages and widowhood in India. In his "Notes" Mr. Malabari forcibly depicts the evils incident to those customs, and calls upon the Government to take measures for mitigating them, while he at the same time suggests the direction which, in his opinion, such measures of mitigation might follow. He thinks that the practice of infant marriage might be discouraged were the educational authorities to rule that no student with a child-wife should be eligible for University degrees, and if the various heads of Government Departments were instructed to give the preference to those applicants for employment in the public service who were unmarried. In regard to widow remarriage, Mr. Malabari thinks that, among other palliatives, good would come if Government were to take action with a view to provid-

ing (1) that no Hindu girl who during her minority had lost her husband, or the person to whom she had been betrothed, should be condemned to perpetual widowhood against her will; (2) that arrangements might be made in suspected cases to ascertain whether a widow had adopted seclusion voluntarily or whether it had been forced upon her; (3) that every widow, of whatever age, should have the right to complain to the authorities of social ill-usage, and that proper facilities should be afforded her for the purpose; and (4) that it should be declared illegal for priests to excommunicate either the parties contracting a second marriage, or their relations and connexions.

2. Copies of Mr. Malabari's Notes were forwarded to Local Governments and Administrations with the remark that the subject was one of great importance to the social well-being of the people, and that the Governor General in Council would be glad to receive any observations which the local authorities might desire to make on the proposals. Local Governments and Administrations were at the same time encouraged to consult such official or non-official persons as were considered to be well acquainted with native feeling on the question.

3. All replies from Local Governments and Administrations have now been received. They bear testimony to the good which even already has been done by Mr. Malabari's endeavours to apply a remedy to a state of things which no section of the community regards altogether with approval, and which some consider to be a great abuse. But while thus regarding with sympathy Mr. Malabari's praiseworthy efforts, all the Local Governments and Administrations exhibit complete unanimity of opinion against the adoption of the legislative action and the imposition of the executive disqualifications which Mr. Malabari advocates. After careful consideration, the Governor General in Council agrees with the unanimous conclusion arrived at on the subject by the local authorities, and he will endeavour to state as briefly as possible the reasons which have led him to that conclusion.

4. In dealing with such subjects as those raised in Mr. Malabari's Notes, the British Government in India has usually been guided by certain general principles. For instance, when caste or custom enjoins a practice which involves a breach of the ordinary criminal law, the State will enforce the law. When caste or custom lays down a rule which is of its nature enforceable in the Civil Courts, but is clearly opposed to morality or public policy, the State will decline to enforce it. When caste or custom lays down a rule which deals with such matters as are usually left to the option of citizens, and which does not need the aid of Civil or Criminal Courts for its enforcement, State interference is not considered either desirable or expedient.

In the application of such general principles to particular cases, there is doubtless room for differences of opinion; but there is one common-sense test which may often be applied with advantage in considering whether the State should or should not interfere in its legislative or executive capacity with social or religious questions of the kind now under notice. The test is, "Can the State give effect to its commands by the ordinary machinery at its disposal?" If not, it is desirable that the State should abstain from making a rule which it cannot enforce without a departure from its usual practice or procedure.

If this test be applied in the present case, the reasons will be apparent why His Excellency in Council considers that interference by the State is undesirable, and that the reforms advocated by Mr. Malabari, which affect the social customs of many races with probably as many points of difference as of agreement, must be left to the improving influences of time, and to the gradual operation of the mental and moral development of the people by the spread of education.

It is true that the British Government in India has by its legislation set up a standard of morality independent of, and in some material respects differing from, the standard set up by caste; and it may be that the former standard has had some beneficial effect in influencing native customs, practices, and modes of thought. But legislation, though it may be didactic in its effects, should not be undertaken for merely didactic purposes; and in the competition of influence between legislation on the one hand, and caste or custom on the other, the condition of success on the part of the former is that the Legislature should keep within its natural boundaries, and should not, by overstepping those boundaries, place itself in direct antagonism to social opinion.

5. Of the suggestions made in the course of the voluminous correspondence quoted in the preamble, the only two which do not seem to the Government of India to be open to serious objection on ground of principle are (1) the amendment of section 2 of Act XV of 1856 as to the forfeiture of property of a widow, on remarriage; and (2) the supply of machinery by which a Hindu widow, who fails to obtain the consent of her caste-fellows to her remarriage, may nevertheless marry without renouncing her religion.

But although there is much to be said in favour of each of these suggestions, the Governor-General in Council, as at present advised, would prefer not to interfere, even to the limited extent proposed, by legislative action until sufficient proof is forthcoming that legislation is required to meet a serious practical evil, and that such legislation has been asked for by a section, important in influence or number, of the Hindu community itself.

6. With this expression of his views, His Excellency in Council has decided to publish all the opinions which have been submitted to the Government of India on this important question in the form of a Selection from its Records.

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ORDER.—Ordered, that a copy of this Resolution be forwarded to all Local Governments and Administrations for information ;

that the Resolution be published in the Supplement to the *Gazette of India* for general information ;

and that the Resolution, together with the papers read in the preamble, be published as a Selection from the Records of the Government of India.

A. P. MACDONNELL,

*Offy. Secretary to the Government of India.*

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